Exhibit A

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            IN THE UNITED STATES DISTRICT COURT
         FOR THE EASTERN DISTRICT OF PENNSYLVANIA
   KATHLEEN EASTMAN, et al.
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                 Plaintiffs
4
                 vs.
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   THE CITY OF PHILADELPHIA:
                 Defendant: No. 21-2248 (MSG)
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7
                Thursday, November 3, 2022
10
            Virtual Deposition of KATHLEEN
11
    EASTMAN, taken pursuant to notice, held at
12
     the Offices of Kohn, Swift & Graf, P.C.,
13
     1600 Market Street, Suite 2500, Philadelphia,
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    Pennsylvania, commencing at 1:00 p.m. before
15
    Michelle A. Landman, Professional Reporter
16
     and Notary Public; in and for the
17
     Commonwealth of Pennsylvania.
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19
2.0
21
                STREHLOW & ASSOCIATES, INC.
                54 FRIENDS LANE, SUITE 116
22
               NEWTOWN, PENNSYLVANIA 18940
                       (215) 504-4622
23
                  SERVING NJ, PA, NY & DE
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multiple people are talking on the record so How long have you lived in the City of 2 I'm going to ask you to let me finish Philadelphia? 3 questions completely and I'll let you answer 3 Well, I was born in the City, in completely. If for any reason I would Kensington, and left when I got married. And 5 interrupt, please just let me know. I will I came back to the City to live six years ago -- oh, I'm sorry, I also lived in the give you as much time as you want. If you cannot hear a question because Fishtown section of the City for about two 8 of any kind of audio issues, computer issues, years in the '90's while I was separated from whatever, just ask me to repeat. If you my husband. And then last time I came back 10 don't understand a question, I can be 10 was six years, within the City limits, yes. 11 imprecise at times, please just ask me to 11 Okay. And what neighborhood do you 12 12 rephrase. But if you answer a question, I'm live in currently? 13 going to assume that you both heard it and Old City. 13 Α. 14 understood it; is that fair? Is this the same neighborhood that 15 Yes 15 you've lived in the entire six years? 16 Okay. This shouldn't go on for too 16 A. Yes, it is. 17 17 long, but if you do need a break, just let us Okay. Have you stayed in the same 18 18 know. I will ask that you answer whatever address the whole time? 19 question was currently pending at that time 19 A. Over the last six years? 20 and then we can go on a break. Yes. Ο. 21 21 That's good. A. Yes. 22 So just to start off, how long had you 22 Q. Okay. What address is that? 23 had a driver's license? 122 Church Street, Unit 104. It's a Α. Oh, 45, 50 years. 2.4 2.4 condo. Page 10 Page 8 I actually forgot one more 1 Ο. Okay. What is parking like in that 1 2 instruction, if you are going to -- I'm going area? to ask you not to guess, but if you are going MS. MANOHAR: Object to the to approximate, just let us know. That's a 4 form. You can answer. 5 perfect example, it does not have to be THE WITNESS: Okay. I tell precise. everyone it's my nemesis. Parking 7 7 is difficult and you live your life Okay. I'm 75, I think I got it when I was 21 or 22, I was a lot older than my 8 around that if you have to move friends at the time. But I think that's 9 your car. That's how I would 10 10 accurate. describe it. 11 Have you been involved in any car 11 But recently I have been given 12 accidents? 12 parking -- allowed to park at my 13 Oh, yes. Driving for so long, yes. 13 work parking lot in off hours. So 14 Okay. Have you been involved in any 14 I have that to fall back on over 15 in the last, let's say, five years? 15 the last two years, since COVID, 16 No, I have not. 16 which makes it easier for me. 17 Q. How many parking violations have you 17 BY MS. REINHART: Where do you work? 18 had? 18 Ο. 19 19 I currently work at -- do you want to Probably the most I have ever had are 20 20 in the City of Philadelphia, I don't know how know the name of the company? 21 21 many. But I think that is the only place, Ο. Sure. 22 even when I lived in the suburbs, I think I 22 Α. Or the location?

have gotten a ticket in the City of

Philadelphia, yes.

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It's called the American Bible

Society, it's a nonprofit. It's located at

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Page 11 Fourth and Market. I had left my prior employment and was offered -- I saw an ad for part-time work, so I work for them since April of 2019.

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- Okay. So circling back to the description that you gave of parking in your area. You said -- and I don't mean to mischaracterize it, but you described it generally as difficult. Can you elaborate on
- what factors make it difficult? There are just so many people who have cars that are trying to park in the Zone 10 where I live, specifically in the area like from Front to Arch, I'll just say that block area, and Front to Second. And the reason is is that in order to have residential parking, the City will grant residential parking if there are only less than, what, 10 percent, I'm not sure the amount of businesses located 19 in the area. So, you know, Second Street where there are restaurants and things of that sort, there isn't residential parking. So even though there may be condos above those businesses, there is still not parking

there. It's only limited to blocks that are mostly residential.

Does that make sense what I'm saying? I'm just going to ask a couple clarifying questions. You said residential parking a few times. What do you mean by that exactly?

Well, the City will grant Residential Parking Permits to residents of the City in areas where they live. And so in my area of Old City, it is a Zone 10 parking. So you are allowed to park on certain streets, certain sides of streets because -- so the parking is given to residents for free if they purchase a parking permit annually. And there are meters there, but the parking permit allows those residents to park without paying a meter fee.

19 So it means that we are competing with someone that may be coming into the neighborhood and park in those spaces and pay 21 22 a metered -- an amount for the metered parking, two or three hours, and the residents are not limited to the parking

Page 13 meters. We don't have to put money in the meter, we can park there all day, overnight if necessary, yes.

- Okay. So just to make sure that I understand. You're saying that there are a lot of businesses in the area? Just to start out.
- Yes. Yes. It's Old City, we are competing with restaurants, we are competing with the Arden Theatre. We are competing with buses that are bringing tourists into the area, that's it. So you're very cognizant, at least I am very cognizant, or if anybody does get a resident permit and moves into the area, they become very cognizant of, you know, what it means to have -- to get a parking space in that area, so yes.

Does that answer it again? I hope so.

- It does, yes. Thank you. Ο.
 - Α. Okay.
 - So before you were parking at the American Bible Society's parking lot, it sounds like you regularly parked in this

Page 14

area?

I regularly park in the street. The only time I go to my employer is when -- for safety reasons right now, like if I were to come home after 8:30 or 9:00, I would circle the block to see if there was anything available. And if not, then I would just go to my parking garage and park there and take the bus back to my home.

- Okay. Let me clarify the timeline real guick. You said you started working at the American Bible Society approximately April 2019?
- Α. Correct.
- And that you have been able for the last two years to park in their parking lot; is that correct?
- I think for the last six months. And it has to do with when I work there, I'm just a part-time person. Once COVID came, everyone was working from home and the facility manager said -- I asked him, if I was stuck, if I could ever park in the work parking lot, and he said yes I'll give you a

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Page 19 I know what times are the best for me to go and come back and be able to park on the street. That's not always -- that doesn't always happen.

In the past before my employer allowed me to come there, I would park and every half hour move my car because it was in a towing zone or something, it was not a way to live.

- Okay. That's not what I asked.
- 10 Α. Okay.

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- 11 What I'm asking is, when you go to 12 park your car, generally speaking, what time 13 of day is that? I can expand on other 14 questions after that. I just need to know
- 15 what time you're typically trying --

have it all setup, that's all.

I don't leave my house the same time everyday to do certain things. I live a pretty normal life, I'm not limiting my life by the parking. I don't like it, but I follow the rules. And if I need to do something that is -- that I'll be out later or something, then I need to make sure that I 22

You know, when I park at Fourth and

Page 20 Market, I still have to walk home. So again, I'm trying to make sure that I get my car parked where I won't get it ticketed, or that I'm not paying \$20 to park it for a few hours. Remember also the parking in the city, especially in Old City is expensive. So just as a matter of habit, is it fair to say that you do not drive your car

10 That is correct.

everyday?

- 11 How often do you drive your car, 12 approximately?
- 13 That depends on what is happening. I 14 would say every weekend I'm doing things. 15 During the week, if I can take public 16 transportation across the city, I would do 17 that. If it's a friend that is doing 18 something and invites me -- for instance, 19 there is something in November and we are --20 friends are getting together, I will go, it's 21 in the evening. I'm not going to not do

So my children might say to me, I think you need to get rid of your car. And

something socially because of the parking.

I'd say no, I'm not, you know, maybe you need to get rid of your car too. So you do it first and then I'll do it.

- Okay. Is PPA active in your area?
- Very, yes.
 - On what blocks? Ο.
 - Α. Every block I have seen them. I don't know what the schedule is. But there is bars on Second Street, there is all kinds of activity, you know, people are all over in town, there are all kinds of things constantly. You will see the officers and you will also see the trucks towing vehicles down to the lots, yeah. Very active.
 - How often do you see cars being towed in your neighborhood?
 - Goodness, I'm not looking out my window for all that all the time, no. I'm just cognizant of it. And that PPA will ticket cars. It's not a friendly city for a tourist or anyone else to come.

So I know friends that have come to visit me and have gotten tickets, you know. I don't know what to say about that.

know the number. I know that it's part of my life down here, yes.

- When you tried to park your car, how long do you typically spend looking for a parking space?
- Right now, it's probably maybe 20 minutes at the most. Twenty minutes to a half an hour.

Prior to the back up from my employer's lot, I would spend hours. L Mould wake up because some parking that the city will allow is, they will allow it on the north side of Arch Street from 8 p.m. to 8:00 in the morning, so I would park there if it was available after 8 p.m. and, you know, make sure my alarm was set so that I would be up at 7:30. And if nothing was available, I'd keep moving my car from parking -- from loading zones every half hour. It was awful, but I remember those times.

Again, all of my questions for the next foreseeable bit are going to be just about before you had the ability to park at your employer's parking lot.

Page 27 son lives in Northern Liberties. 2 BY MS. REINHART: 3 Okay. I am going to ask you really carefully to listen to my questions that I'm asking. Just now I asked what neighborhood you are currently in. So I can follow-up with additional questions after that because a lot of times things build on each other. But I am going to ask you really carefully to 10 listen to the questions that I am asking. 11 I thought I was Shelly, I apologize. 12 That's fine. Depositions are stressful and I hear that. So I'm just 13 14 asking you just to listen carefully. 15 And can you answer what neighborhood 16 you are currently in? 17 MS. MANOHAR: I'm going to 18 object. She did answer that 19 question previously, I believe more 20 than once. But you can answer. 21 THE WITNESS: Yeah, in Old 22 City. BY MS. REINHART: 23 2.4 Okay. So how long have you owned your 24 Page 28 1 vehicle? 2 My current vehicle? 3 Ο. I'm trying to think, maybe ten years. 5 What is the make and model of the car? 6 It's a Volkswagen Beetle, 2008. Α. 7 Is it insured? Ο. 8 Α. Yes. 9 By who? Ο. 10 Erie Insurance. Α. 11 When do you typically register your 12 vehicle every year? 13 I believe the current registration is 14 for two years, and I believe it is in August. 15 But I think Pennsylvania just initiated a new 16 law where it would be for two years. 17 I get it inspected every year, so 18 again regularly. 19 19 Do you have any unpaid parking 20 tickets? 20 21 21 Α. No, not that I am cognizant of. 22 So earlier you mentioned that -- we're 22 23 just taking a step back. We're here today because at some point 24 2.4

9(27 - 30)Page 29 in time your vehicle was towed; is that correct? 3 A. Yes. Q. Can you tell me about when that was? Yes. It was Veteran's Day, the Monday 6 that it's celebrated. Veteran's Day which is usually around the 9th or 10th, and it was November 9th of that year, I think it was 9 2019. 10 And I had taken my car to the car wash 11 on Delaware Avenue, and I came back and 12 parked my car on the south side of Arch 13 Street in the 100-block and it was towards -on Arch Street towards Front Street, goes 15 from Front to Second Street and I parked 16 closer to Front Street, and I'm guessing it 17 was around 1:00 or 2:00 in the afternoon. 18 And I spent some time cleaning the windows, 19 because I had just got the car washed, and also just kind of straightening up inside the 21 car and taking out any kind of trash that I 22 could find on the inside. Do you recall approximately how long you spent doing that? Page 30 1 Α. I think 20, half hour. 2 So what time, approximately, would you have walked away from the vehicle then? Well, I remember that it was bright sunshine, I don't know, maybe 2:30, 3:00 at the latest. I'm not sure of the exact time. When did you come back to your car? I came back the following Saturday in the middle of the afternoon. I was meeting a 10 friend over in New Jersey and I was probably 11 going to go and do some grocery shopping while I was over there. So, yes, I'm going 13 to say, I'm not quite sure of the exact time, 14 but early afternoon, mid-afternoon, 2:00 at 15 the latest. 16 So walk me through what happened 17 exactly. You walk up to where you believe you parked your car. You didn't find it.

A. You mean, on Saturday when I noticed the car wasn't there? I had known from once earlier, maybe two years prior to that, my car had been towed from Church Street and I had learned that it was -- that you should

And then what?

Page 31 call the Sixth District Police and they would give you information about where your car had been towed. I knew I was legally parked, so there wouldn't be any reason for PPA itself to move my car.

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So I called the Sixth District and I believe I spoke to the desk sergeant or someone switched it to him. And he told me that my car had been towed to the 100-block of Water Street. And so I then sat on the step and called both of my sons, waiting for them to call me back to see if someone would drive me down to Water Street and help me find my car.

My youngest son said he could take me, so he came and met me at Front and Arch and we drove down to Water Street and under 95 and kept driving around and around up and down all the aisles, couldn't find my car. And then we did it again.

The entire time I was on the phone trying to reach out also to PPA thinking that maybe they knew where the car was because the police -- I think I was also reaching out to

the police, because my car was not where they said it was. So the officer said, well, maybe it's 100 North Water Street. And I said to him, I don't think Water Street goes up north, I'm from that area, I don't ever recall there being Water Street above Spring Garden or anything.

So he then said, well, let me call the towing company. And he put me on hold and he came back and said the towing company does not have your car. Your car -- maybe your car has been stolen. So I think my son and I were out for one and-a-half or two hours, I know it was a long time, because my son was getting frustrated as well.

So the officer said, you're going to have to fill out a stolen car report and so you're going to need to go back to your -- where you parked your car and then call and a police officer will come out and take the report.

So I told my son, look, I'll call, just take me home. I'll call the police, it will take them a while to come here and, you

know, fill out the report and all. And so I said just take me home.

So we were still driving up from Water Street and we came across Arch and he kept going on Arch rather than making a left turn onto Second and went past the Besty Ross House and the fire station, I think it is, that's on Third, and my car was on that block of Arch Street in a metered spot and it had three parking tickets on the windshield.

Q. I am going to pause you there and ask a couple follow-up questions for what you just said. So you said initially you were transferred to the desk sergeant when you called the police.

A. Yes.

Q. How long were you on the phone with the police the first time that you called?

A. Probably five minutes or something. I think I submitted documents that showed the record on the -- my mobile phone, how long, you know, I was on the call, I think. But it wasn't that long because initially, I think -- again, and I apologize, that the officer's

name was Chang or Chung, I knew it was something like that, but I didn't write it down, I was just interested in picking up my car.

And we have said before my car was towed once before, and that time I was able to find it under Water Street. So when he indicated this time, the officer, that it was parked under -- on Water Street, I thought, okay, great, we'll just go down there and I'll get my car.

Q. Do you know whether that is a typical place for cars to be towed to in your neighborhood?

 $\label{eq:MS.MANOHAR:} \text{ Object to the} \\ \text{form. You can answer.} \\$

THE WITNESS: I don't know. I just know that in the first instance it was down there.

20 BY MS. REINHART:

Q. Do you recall whether the sergeant who directed you to Water Street said if he was looking at any certain information?

No, he did not.

Page 35 Q. Okay. While you were driving looking for the car, you indicated that you were on the phone with, I believe it was the PPA and police. Were you calling back and forth between the two?

A. Yes, I couldn't find my car. I just didn't know what happened to it. And, again, it was no where.

PPA was hard to reach, it was a Saturday. I think the only phones that are open in PPA are the ones at the tow lot. So I did reach PPA, I think they said that my car wasn't in their lot. And then I kept calling back to the police district because I didn't know where my car was.

- Q. Do you know approximately how many times you called PPA?
- 18 A. Yes, a lot, because my phone died, I
 19 was using it so much. And then I had to use
 20 my son's phone.

It's impossible -- I shouldn't say it's impossible, but it's a lot of work to reach PPA, at least my experience that is.

Q. You said that you provided mobile

phone records, would all of those calls that were not made on your son's phone be within those records?

A. I think so. I'd have to go back and check Shelly. I don't know.

Well, yes, the phone companies would have records of all those. I don't know how much I provided, but I was really trying to settle this with PPA for different reasons. Was trying to provide as much documentation to them that I could because I had been -- had three parking tickets and then it escalated, the fines. So I was trying to get this taken care of. Plus I was up for my parking permit to be renewed.

- 16 Q. Okay. You said at one point in time 17 you called the police and they checked with a 18 tower, I believe?
- 19 A. That's what I was told.
- 20 Q. Do you know who that tower was?
- A. No, I do not, no. I believe I asked, but they wouldn't give it to me. I can't be
 - certain of that, because again, I was trying to find out as much information as I could.

Q. So do you recall approximately when it was first suggested that you fill out a police report -- a stolen report specifically?

A. It was when I couldn't find the car and I kept calling back to the police district, you know, telling them I couldn't find my car.

We had attempted to go up to North
Water Street, which didn't exist. It wasn't
even on a GPS or anything like that. We had
driven around -- not only under 95 at Water
Street, we had driven around the neighborhood
too just to make sure that my car wasn't
somewhere along one of the streets that
bordered to that. So I don't know the exact
time, I know it was a couple hours after I
had first gone out. It was still daylight,
I'm guessing maybe 3:00 at that point, not
sure if I started out at noon, you know, it
was like 3:00.

Q. Okay. And do you recall whether -- strike that. I'm going to keep on moving.

Had there been any temporary no

Page 38 parking signs on that block that you had seen that entire week?

A. I'm not -- I don't usually go around that block. If I'm doing any interaction, it's more on Market Street that I'm on foot so I wouldn't know.

But I had known that the north side of Arch Street, they were taking an old restaurant equipment place called National and making it into condos, so to my knowledge I known that there were -- throughout that summer there were some things happening in the streets, but nothing was there the day that I parked. I was very cognizant of that, again, because I live in that area.

It's a very popular area for film crews, a lot of things go on, so I'm very cognizant of where I park my car and to make sure of that.

- Q. Have you had to move your car in the past for film crews doing work?
- A. Not to move, but not to park. The signs go up so, you know. There are all kinds of things that happen.

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The first time my car was towed was because the Water Department -- I was told this because the car was towed from Church Street, my address, and during the week the water company had to get into the street, so they towed all the cars away, a neighbor told me that when I came out and my car wasn't where I parked it.

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- Q. Do you recall any other times that your car was moved because of some kind of either utility or construction work?
- A. Again, I'm not quite sure. All I know is if there is temporary no parking, I don't park there. I'm not sure whether it's construction, water, or if someone is moving and has petitioned to have some parking in the area roped off, just know not to park there. Yes, okay.
- 19 Q. Okay. Have you ever had to move your 20 car after it was already parked because of 21 any kind of work being done?
- 22 A. Not that I can think of. I think
 23 maybe once someone was moving from Church
 24 Street and I had been parked on Church

Page 40 Street, and after I parked there someone put up a temporary parking that I didn't know and I think -- I believe the police came and knocked on my door and asked me to move it and I moved it.

Q. Do you recall any other time that you -- just to let everyone know, I got a notification that my internet is unstable so please let me know if you can't hear me at any point.

Do you recall any other situation where your vehicle has been towed in the last six years while you were living in this neighborhood of Philly?

 $\label{eq:MS.MANOHAR:} \mbox{ Object to the}$ form. You can answer.

THE WITNESS: Yes, my car was towed a third time, I'm not sure if it was from Front Street or Church Street, but I went out and the car wasn't there. And then I called the Sixth District and I was told at that time that a police officer would be out to my home shortly.

And then a police officer came
and knocked on my door and I told
him what had happened. And he was
talking to the District or
something, and he drove me around
and he told me that he knew where
my car was towed to. So he drove
me to the spot and my car was
there.

10 BY MS. REINHART:

- Q. Do you recall when that was?
- 12 A. I think it was within the last year or 13 so.
- 4 Q. So some time in 2022?
 - A. Yeah. Yes. Late '20, '21, '22. It wasn't in the last six months or so, no.
- Q. Do you know the reason that your car was towed that time?
- 19 A. No, I don't.
- 20 Q. Do you know who towed it?
- A. No. Again, if my car is legally parked, if this happened to me today I would call the Sixth District again and ask them,

you know, if they knew where my car had been

towed.

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Q. For the incident that we are here for today, do you know why your car was moved then?

Page 42

- A. No, I do not.
- Q. Do you know who towed it?
- I do not know. After it was towed and the tickets were issued, I was trying to gather information to dispute the parking tickets that I got. And I was told that there were several towing companies that are licensed in the City of Philadelphia that tow cars. So they gave me the name -- I think it was PPA gave me the name of one company, I'm trying to think of their name, and I know that I spoke directly to a woman in their office, she was very nice -- I want to say Michelle or something -- and she told me that her company did not tow my car. She gave me the name of four other towing companies in Philadelphia that she knew of that also tow cars.

So I reached out to those trying to get information, which was difficult because

Page 47 Page 49 THE WITNESS: There are more deposition resumed at 2:15 p.m.) businesses on that block, so it 3 BY MS. REINHART: wouldn't be allowed as a parking After a short break we are coming back permitted space, a residential 5 on to the record. Can you hear me okay, just permit space. to start off? 6 BY MS. REINHART: Yes. Do you know when the car was moved to 8 Great. So circling back to when you that parking spot? 9 found your car, you said that you found it No, I do not. But there were parking 10 the same day that you realized it was lost; 10 tickets, three of them, and I believe I know 11 is that correct? 11 from the website that one was issued out each 12 12 day, I'm guessing Tuesday, Wednesday, Α. Yes. Thursday or something like that. PPA would 13 Okay. And it had been a few hours in 13 14 between when you first realized it was lost have that exactly. 15 until when you found it? 15 So it was three different days that the tickets were issued on? 16 Yes. You know, yes. 16 17 That's correct. Can you describe exactly what the 18 18 parking spot was that it was found in? Do you recall whether there was a Ο. 19 MS. MANOHAR: Would you mind 19 ticket issued for the day that you found it? 20 repeating the question? You cut I do not believe so but I'm not sure. 21 21 out briefly. I'd have to go back. But I know it was one 22 MS. REINHART: Yeah, 22 for each day. 23 absolutely. I also asked a How much was -- were all the tickets 24 confusing question. 24 the same value to start off with? Page 50 Page 48 1 BY MS. REINHART: Α. Yes, they were each \$36. 2 The parking spot that you found it in, And you said that there was a -- I can you describe what the restrictions were forget the word you used, but there was some 4 on that parking spot? type of penalty added after they made some 5 MS. MANOHAR: Object to the 5 kind of determination on your appeal? 6 form. You can answer. I think that if you do not pay a 7 THE WITNESS: No. All I know 7 parking ticket within 30 days, it is 8 is that we were driving past -- we automatically fines are added, unless you 9 were driving over Arch Street and I dispute it and you're given that ability 10 was in my son's car, and he went, 10 online. 11 mom, isn't that your car. So I 11 Okay. What was the amount of the fine 12 looked over and it was in a metered 12 that was added to these tickets? 13 spot with three parking tickets on 13 I believe the amount -- well, the 14 it. That's all I recall. I know 14 total amount that I had to pay for each 15 that area is not in a permitted violation then was \$110. So I can do the 16 16 math in my head, but that's about it, \$70. area for parking for Zone 10. 17 BY MS. REINHART: 17 Okay. So the total that you ended up 18 Okay. So that's the reason that even 18 paying for parking tickets here was \$330? 19 though it is within the typical limits of 19 I believe so, yep. 20 Zone 10, that it still would get tickets for 20 You said that you were concerned about Ο. 21 sitting there? 21 how these tickets would affect your ability 22 22 MS. MANOHAR: Object to the to get a Zone 10 Parking Permit. Did these, 23 form. You can answer if you in fact, change your ability to get that

permit?

24

understand.

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Page 54

Page 51

I had to pay it in order to get the Eighth Street, Eighth and Filbert. 2 permit, so I knew that. So I paid it to get And that happened in December also? the permit renewed. 3 Α. I believe so. When did you get the Zone 10 Parking Q. Okay. The parking permits run from 5 Permit? what, January to January? Not sure. From subsequent No, I believe it's annual renewal, due conversations, I was told the permit itself when you first secure the parking permit. would not be mailed because PPA was behind in And then it's an annual renewal at the time. their mail, but that the officers, PPA So everyone isn't at the same date. 10 officers would know that I had gotten the 10 Okay. Did you have a lapse in your 11 permit and wouldn't issue me a ticket for not 11 permit parking? 12 having a permit. 12 I don't believe so. Again, parking is Do you recall when it was that you 13 very important to have it down there so I 13 were told you were issued the permit and just 14 know that it has to be renewed. 15 had to wait for it to come in the mail? 15 When you found your car, was there any 16 MS. MANOHAR: Object to the 16 damage to it? 17 form. You can answer if you Α. 18 18 understand. Ο. Were there any items missing? 19 THE WITNESS: I'm guessing 19 A. No, not -- no. 20 late December. I'm not sure. Did you have any other damage as a 21 BY MS. REINHART: 21 result of your car being towed? 22 So had you already paid for the 22 Α. No. 23 parking tickets at that time? Okay. So just from my notes, and they 24 I paid online. 2.4 could be incomplete, so I would like you to correct me, let me know if I'm missing Before you got the confirmation that 1 1 2 you were getting the parking permit? anything, I have that the total damages from I went down to the PPA offices at this were \$330 as a result of the three Eighth and Filbert and got the permit through parking tickets; is that correct? 5 them. Yes, that's how much money I put out, 6 Okay. My question is about which yep. 7 happened first. Did you first pay for the Q. Okay. Give me just one moment. parking tickets or did you first get the After you found your vehicle, you 9 permit renewal? didn't fill out a police report then, 10 10 I paid for the parking tickets first correct? 11 online. And then afterwards when I had paid 11 Correct. I called the Sixth District 12 for the parking tickets and fine, I then went 12 and told them I found my car. 13 to PPA offices to get the parking permit. 13 Okay. Okay. So an officer didn't 14 Okay. Do you recall when it was that 14 meet you at any point that day, correct? 15 you paid the tickets online? Correct. I never called back to say 16 No, I don't. I'm guessing could be 16 my car was stolen in order for a police 17 December. 17 officer to come back to the space where I 18 Okay. So you're saying you paid for 18 left my car. 19 the tickets online in December and you also 19 Did you file an insurance claim for 20 20 this incident at all? got the parking permit in December? 21 21 I went to get the parking permit, I Α. hadn't got -- I secured the parking permit 22 22 I think I know the answer to this but through PPA after I paid the tickets. I I'm going to ask it anyway: Did you receive believe I went to their office right on 24 any kind of medical treatment?

Page 55 Page 57 correct? Α. No. 2 Is there anything else that I have not Yes. 3 asked you about that supports your claim for Ο. Okay. Moving on to paragraph 25: "Plaintiff Eastman contacted the Sixth Police this case? Not sure. I told you all that I District. A police officer informed her that remember. her car had been towed to the 100-block of Okay. I am going to share my screen. Water Street, a half mile from where she had This is the complaint that was filed in this originally parked it due to unspecified work case. Give me just one moment to bring it being done in the 100-block of Arch Street." 10 1.0 Is all of that correct? up. 11 11 Yes, to my knowledge, yep. Are you able to see this on the 12 12 Okay. And fair to say you never found screen? Ο. 13 13 out what that unspecified work was? Α. Yes. 14 No. I didn't question it, no. You can see it says Page 6 at the 15 bottom and in bold letters centered toward 15 Okay. Moving on to paragraph 26, 0. "Eventually Plaintiff Eastman found her car, 16 the top it says Plaintiff Eastman? 16 17 17 not on the 100-block of Water Street, but in Correct. 18 It looks like there are three 18 a metered parking spot on the 200-block of Ο. 19 paragraphs here, paragraphs No. 24, 25 and 26 19 Arch Street with several tickets on the 20 that describe everything generally that windshield." Is that correct? 21 you've testified about today so far; is that 21 Α. Yes. 22 fair to say? 22 And when it says, eventually you found 23 Α. Yes. your car, that was the same day, correct? Okay. For paragraph No. 24, I'm going 24 24 Q. Α. Yes. Page 58 to first just read it out loud and then I'm 1 Ο. Okay. going to ask you just what is correct. "On Α. The same day as I went looking for it, or about November 9th, 2020, Plaintiff ves. 4 Okay. Continuing to read from that Eastman parked her car in a legal Zone 10 Ο. parking space on the 100-block of Arch same paragraph, "These tickets had been Street." Just pausing there, is all of that issued because her car had been towed by the 7 information correct? City to a metered space, through no fault of 8 Yes. her own." Do you know that all parts of that 9 9 Okay. I'm going to continue to read, sentence are correct? 10 10 MS. MANOHAR: Object to the "On or about November 14th, 2020 --11 11 MS. MANOHAR: I'm going to form. You can answer. 12 object. This is the complaint that THE WITNESS: Yes. Correct. 13 was filed in federal court. I 13 BY MS. REINHART: 14 mean, all of the information in the 14 Okay. So previously you testified you 15 complaint is understood to be did not know who towed your car, but this 16 correct. 16 says that the City towed the car. Do you 17 I'll allow her to continue to 17 have any reason to believe that the City was 18 18 the entity that towed your car? answer the questions. 19 19 MS. REINHART: Thank you. MS. MANOHAR: Objection. All 20 BY MS. REINHART: 20 of these allegations were pled upon 21 21 "On or about November 14th, 2020, information and belief. The 22 22 Plaintiff Eastman returned to the 100-block plaintiff is going to testify 23 consistent with her complaint upon of Arch Street to use her vehicle, only to find that it was not there." Is that all information and belief.

Page 59 Page 61 MS. REINHART: It's You can answer. 2 MS. REINHART: I'm not asking 2 approximately 2:40 right now, so 3 upon information and belief. I'm 3 let's plan to come back at 2:45. 4 4 asking if she has any knowledge 5 that the City towed her car. (Whereupon, a brief recess was 6 That's the specific question that taken at 2:40 p.m. and the 7 I'm asking her. deposition resumed at 2:45 p.m.) 8 MS. MANOHAR: You can answer 9 9 BY MS. REINHART: if you understand. 10 THE WITNESS: I understand. I 10 Going back on the record, we just took 11 was told that the City licensed 11 about a five-minute break. 12 12 five companies to tow cars in the The only questions that I have outstanding are what are you looking for from 13 city. So did those -- so the City 13 14 was responsible for the towing. So 14 this lawsuit? 15 that's my answer. I don't know 15 Hoping that some changes will be made 16 what else to say. 16 so that this doesn't keep happening in the 17 BY MS. REINHART: 17 city. 18 18 Okay. You said that you reached out Okay. So what you're looking for is Q. 19 to these five towing entities, correct? 19 policy change essentially? 20 20 I'm not sure how -- yes, I guess it 21 21 And you didn't find out who it was -would be policy. How you handle -- how the 22 or rather none of those five entities said 22 City would handle towing of cars. How the 23 that they towed your car? City would handle licensing of those towing 2.4 Of the five entities, I think maybe 2.4 companies. It seems to me a fairly easy fix two said they didn't, and the others didn't 1 to any software system that the Philadelphia 2 2 want to take time to find out. -- that the City of Philadelphia would have. 3 Okay. Do you have any specific Okay. What type of software fix are information that it was the City that towed you envisioning? I'm just trying to 5 your car? understand what it is that you're looking 6 Well, no. I knew it wasn't PPA. for. I'm not trying to put you --7 Have you ever filed a lawsuit before I don't know, but if the officers that this case? 8 go around and they just put a little 9 I have right now -- no. No. computerized handheld device at a license There seemed to be a pause there. Is 10 10 plate and can tell all kinds of things at 11 that because you filed something after this 11 issues whether they have a permit or whether 12 case was filed? they have put money in a meter, it seems to 13 I've just been appointed Administrator 13 me that that same type of software can be 14 of an Estate in New Jersey, so that's totally 14 used to identify cars that are being towed. 15 different. That's the only thing. I really don't know. I don't know what your 16 Okay. Thank you for clarifying that. 16 software is. I just know that out there 17 I ask this to everybody, it's not 17 technology would make things easier, make it 18 specific to you, but I have to ask, have you 18 easier to let someone know your car is going 19 19 ever been convicted of a crime? to be towed. 20 20 Α. No. Okay. When you referenced someone 21 21 Okay. I am going to ask for a going with a handheld device and the 22 22 five-minute break. Is that okay for information they are able to see about either 23 everyone? the car or the driver, anything like that, 2.4 MS. MANOHAR: Sure. are you talking about PPA there?

Exhibit B

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

_ _ _

KATHLEEN EASTMAN, Et. :

.

Plaintiffs, :

V.

THE CITY OF PHILADELPHIA:

.

Defendant : NO. 21-2248 (MSG)

- - -

SEPTEMBER 7, 2022

- - -

Video teleconference deposition of MARY HENIN, taken pursuant to notice, commencing at 10:07 a.m., on the above date, before Brittany Butterworth Sacco, Professional Court Reporter and Notary Public in and for the Commonwealth of Pennsylvania.

- - -

Mary Henin 9/7/2022

		2/1/2			
1		Page 3	1	Q	Page 5 Have you held a driver's
2	INDEX		2	license?	-
3			3	A	Yes.
4	MARY HENIN	PAGE	4	Q	And for how long?
5	By MR. JOHNSON	4	5	A	Since I was 16 years old.
6			6	Q	Where did you obtain your first
7			7	driver's licer	ise?
8			8	A	Virginia.
9	E X H I B I T S		9	Q	Did you grow up in Virginia?
10	NO. DESCRIPTION	PAGE	10	А	Yes.
11	(NO EXHIBITS WERE MARKED FOR IDENTIFIC	CATION.)	11	Q	What brought you to
12			12	Philadelphia?	
13			13	A	My job. I graduated law school
14			14	and I started	working at the public defender's
15			15	office.	
16			16	Q	And did you obtain a
17			17	Pennsylvania d	driver's license?
18			18	А	Not when I first moved.
19			19	Q	But you have since?
20			20	А	Yes.
21			21	Q	When did you obtain your first
22			22	Pennsylvania d	driver's license?
23			23	A	If I recall it was last year.
24			24	My Virginia li	icense was valid up until it
1		Page 4	1	expired a year	Page 6
2	(It was stipulat	ed by and	2	Q Q	Okay.
3	between counsel that reading	=	3	~	And when you moved to
4	signing, sealing, certifica	_	4	Philadelphia,	did you own a car?
5	filing be waived; and that		5	A	Not when I first moved.
6	objections, except as to the	ne form of	6	Q	Did you at some point purchase a
7	the question, be reserved a	until the	7	car?	
8	time of trial.)		8	А	I didn't purchase it. This was
9			9	my family's ca	ar. My father couldn't drive any
10	MARY HENIN, afte	er having	10	more so I took	k it. In maybe around 2017 is
11	been first duly sworn, was	examined	11	when I brought	t it to Philly.
12	and testified as follows:		12	Q	Okay.
13			13		So were you when you say this
14	BY MR. JOHNSON:		14	this was yo	our family's car, what car are you
15	Q Miss Henin, how long ha	ave you	15	referring to?	
16	lived in Philadelphia?		16	A	The car that is referenced in
17	A Since September 2014 so	almost	17	the lawsuit.	
18	eight years.		18	Q	What's the make and model of
19	Q And where were you live	ing before	19	that car?	
20	that?		20	A	2008 Nissan Altima.
21	A Chicago.		21	Q	And were you the registered
22	Q And how long what's	your	22	owner of that	vehicle at any time?
1 1	birth date?		23	A	No, my parents are.
23			1		, 11

$\overline{}$				
1	or bike.	Page 19	1	Page 21 car towed prior to January of 2020?
2	Q	You biked to work?	2	A I don't think so. I'm pretty
3		So wait, the trolley goes where	3	certain no.
4	from there?		4	Q Did anyone you know ever have
5	А	The 13 trolley runs along	5	their car towed?
6	Chester Aven	ue and goes to 13th City Hall.	6	A Ever?
7	Q	Okay.	7	Q Ever.
8	А	So I usually pick it up on	8	A I'm sure I know someone whose
9	Chester.		9	had their car towed.
10	Q	Do you have any kids or other	10	Q Did you talk to them about it?
11	dependents?		11	A Yes.
12	А	No.	12	Q They told you about it?
13	Q	Now, at that time that we're	13	A Yes.
14	talking abou	t in January and February of 2020,	14	Q Do you recall what the details
15	the car was	still registered to your parents;	15	were?
16	is that righ	t?	16	A Off the top of my head I do have
17	А	To my mother. My father had	17	a friend who was courtesy towed several months
18	since passed	ı.	18	before I was. I think it's the first time I
19	Q	Was the car insured?	19	learned about courtesy towing.
20	А	Yes.	20	Q And what did your friend tell
21	Q	Can you provide documentation	21	you about it?
22	for those da	tes?	22	A She told me that she got a
23	А	Yes.	23	ticket because her car was sitting in the
24	Q	Was your insurance company ever	24	middle of Washington Avenue and that she didn't
1	notified tha	Page 20 t the car was domiciled in	1	Page 22 put it there and she had learned after the fact
2		at the time?	2	that the City had moved it and put it in an
3	А	I don't recall.	3	illegal parking spot.
4	0	Did you ever call the insurance	4	O Was she she said she was
5	company?	Did you ever carr the imparamee	5	parked in the in the central turning lane,
6	A	I don't recall.	6	the median lane on Washington Avenue?
7	Q	Do you know if your dad had a	7	A That's where the City left it or
8		greement on that car?	8	the towing company.
9	A	No, it was fully financed.	9	Q Or the towing company left it
10	Q	So he had paid off the car?	10	there?
11	A	Yes.	11	A Right. She had parked it
12	Q	Okay.	12	legally and then it got courtesy towed and left
13	×	When did he purchase the car?	13	in the middle of Washington Avenue.
14	A	I don't remember.	14	Q Okay.
15	0	Do you know if the registration	15	And did she did she ever
16	~	without any lapse during that	16	relay to you how she went about tracking down
17	period?	, and any empty during that	17	where the car was?
18	A	I believe it was.	18	A I don't remember. I don't
19	Q	Can you provide the records	19	remember if she called the police or if she
20	showing?	7	20	called the district. I only remember that she
21	A	I can probably obtain them from	21	had found her car in the middle of Washington
22	the state.		22	Avenue.
23	Q Q	Okay. All right.	23	Q When did you have this
24	~	So so have you ever had your	24	conversation with her?
124		so so have you ever had your	24	conversation with her?

_	, ,		
1	Page 23 A It was several months before my	1	Page 25 would have been in the afternoon.
2	car was towed. I can't say exactly. It was	2	Q Was it a weekend day?
3	probably sometime in the winter or fall of	3	A No, it was a Wednesday.
4	2019.	4	Q You parked there. You were
5	Q And who who was this friend?	5	coming from State Road.
6	What's her name?	6	Was it a social engagement you
7	A This was my office maid at work.	7	were at?
8	Her name is Angelica Hendrix. She was my	8	A No, I was there for work. I was
9	office maid at the time.	9	at the jails, the county jail.
10	Q How would has anyone else	10	Q All right.
11	ever talked about getting their car towed in	11	When was the next time you saw
12	Philadelphia?	12	your car after you parked it?
13	A Yes. I know other people who've	13	A On February 14th when I found it
14	been courtesy towed or just had their cars	14	in the location it had been moved to by the
15	moved by PPA from illegal spots.	15	City or the towing company.
16	Q So in regard to the incident	16	Q So wait a minute. You parked
17	where your car was towed, when had you last	17	your car on the 5th after work.
18	parked the car?	18	You never saw it between then
19	A February 5th of 2020.	19	and the 13th?
20	Q So you parked the car on	20	A I mean, I'm sure I did walking
21	February 5th.	21	to the trolley or walking around the
22	Where what had you been out	22	neighborhood, but I didn't look for it to use
23	doing with the car?	23	it until February 12th which is the day I
24	A I was visiting clients up on	24	realized it was missing and then February 13th
1	Page 24 State Road at the jails.	1	Page 26
2	Q And what where did you park	2	Q Would you say I mean, if you
3	the car?	3	walked out your building, in relation to where
4	A On the northern side of 4200	4	you had parked the car, would you have seen the
5	Chester Avenue.	5	car from walking out front of your building?
6	Q Is that the side where your	6	A It wouldn't have been directly
7	residence is?	7	in front of my face. I would have had to turn
8	A Yes.	8	and look up and make sure it was there.
9	Q If you could describe in	9	Q
10	relation to your building, was how close was	10	many car lengths down was it?
11	it to your building?	11	A I think I said two or three. It
12	A 4209 is pretty central in the	12	wasn't quite on the exact corner of 42 and
13	block. I'd say it's just west of the center of	13	Chester, but it was east of my building
14	the block and I parked probably two to three	14	entrance.
15	car lengths east of my residence. It wasn't	15	Q And to go to the trolley, would
16	far.	16	you walk east or west?
17	Q Could you see it from your	17	A I would walk east either on the
18	apartment?	18	same or across the street and walk up because
19	A I don't remember. My apartment	19	the trolley was on the south side of the block.
1 - 2			
20	was on the west corner so it's possible I	20	Q Okay.
1 1	1 1	20	Q Okay. So so you would you walk by
20	was on the west corner so it's possible I	1 1	- · ·
20 21	was on the west corner so it's possible I couldn't.	21	So so you would you walk by
20 21 22	was on the west corner so it's possible I couldn't. Q What time of day did you park	21	So so you would you walk by the car going to the trolley?

1	Page 2' Was anyone with you when you	7 1	Page 29 car, you said February 13th, did you were
2	parked the car?	2	you sleeping at your house all those nights?
3	A No.	3	A Not all those nights.
4	Q When you parked the car, did you	4	Q How many how many days do you
5	notice any temporary no parking signs from the	5	think you were there?
6	City at that point?	6	A I don't remember. I can guess.
7	A No.	7	Q Okay.
8	Q Have you seen those on that	8	When did you notice that the car
9	block before?	9	wasn't there?
10	A Yes.	10	A On February 12, 2020.
11	Q Are you familiar with what kinds	11	Q February 12th. Tell me about
12	of temporary signs that the City posts or other	12	that.
13	residents post?	13	What are you doing when you
14	A I'm sorry. The audio went out.	14	noticed?
15	Q Temporary no parking signs, have	15	A So I was downtown at dinner with
16	you seen those in the City before that?	16	friends. My friend had asked to borrow the car
17	A Yes.	17	so I gave him the key earlier in the day. And
18	Q What was your understanding of,	18	then while I was at dinner with my friends I $$
19	like, what those signs meant?	19	got a call from my friend or a text, I don't
20	A For the they indicate a	20	remember, saying that he couldn't find the car
21	period of a time that you couldn't park your	21	and that he had walked up and down 4200
22	car there.	22	Chester, which is where I usually park, and
23	Q When you were looking for	23	also 43rd, where I also usually park, and he
24	parking, did you ever look at those signs,	24	couldn't find the car.
1	Page 2: like, look at the dates?	8 1	Page 30 Q What did you do after you heard
2	A Sure. Sure. If a sign is there	2	that?
3	I'll read it before parking.	3	A I called an Uber to go to 4200
4	Q Do you recall what was the	4	Chester to help him look for the car. While I
5	weather like when you parked the car?	5	was in the Uber I started calling the 18th
6	A I don't remember.	6	Police District to see if they had any
7	Q Are there trees on that block?	7	information about where the car could be.
8	A Yes.	8	Q Do you work regularly with the
9	Q Would they obstruct view of the	9	Philadelphia Police Department as part of your
10	cars? If you were to look around the block,	10	job?
11	would they be in your way if you were standing	11	A I encounter them as part of my
12	on the sidewalk looking at the cars that are	12	job, but as a defense attorney I rarely work
13	parked?	13	with them.
14	A They could.	14	Q Do you know any of the officers
15	Q Did you notice any street work	15	from that police district?
16	or utility work occurring in the area when you	16	A Personally, no.
17	parked the car?	17	Q Had you had dealings with them
18	A No.	18	in court ever?
19	Q How about in the days after	19	A Yes, 18th District officers come
20	that, did you notice any work being performed	20	into court frequently. I can't say there's one
21	on that block?	21	particular officer I've dealt with more than
22	A No.	22	any other.
23	Q During that week between	23	Q Had you ever called the 18th
24	February 5th and the next time you saw your	24	Police District before?

1	Page 31 A Probably not. I sometimes call	1	Page 33 Q Did you talk to any friends or
2	police districts as part of my job, but I	2	neighbors there about activities on the block
3	didn't work in what was called the southwest	3	related to your car?
4	district at the time so it's possible I called	4	A No.
5	the 18th District for work, but nothing else.	5	Q Did you ask anyone in the
6	Q So what steps did you take to	6	neighborhood about whether there was any work
7	try and locate the car?	7	performed on that block?
8	A I called the 18th District and	8	A No.
9	asked them if they were aware of any towing or	9	Q Did the police ever tell you
10	any reason why the car would have been moved	10	about any work that had been performed on that
11	from that block. I called them several times	11	block?
12	each time asking for new information or give me	12	A No.
13	new information. Each time I called them they	13	Q And, just apologies, I'm
14	either told me to call PPA or to call 911 and	14	backtracking a little.
15	report the car stolen. So I called PPA. I	15	But about the car, this was your
16	called the PPA tow lot who said that they had	16	dad and your mom's car, they were joint owners?
17	no record of the car and they told me that if	17	A Correct.
18	it was moved by the City or if it was courtesy	18	Q Were you responsible for
19	towed they wouldn't have a record of it, that	19	maintenance of the vehicle?
20	the police district would have moved it or	20	A Yes.
21	would have been in charge of moving it. So I	21	Q Did you ever have the car
22	called the 18th District back and told them,	22	inspected in Pennsylvania?
23	you know, what I had learned from PPA and they	23	A No.
24	told me that the only way to generate any sort	24	Q Did you have the car inspected
1	Page 32 of paper trail that the car was missing was to	1	Page 34 in Virginia?
2	call 911 and report it stolen so eventually I	2	A Yes, each year.
3	did that.	3	Q Did you drive it down there
4	Q So the 18th District, just to	4	every year to have it inspected?
5	confirm, you said they didn't have any record	5	A Yes.
6			
	of it being courtesy towed; is that right?	6	Q Did you have any trouble with
7		6 7	
7 8			Q Did you have any trouble with the car around that time? Was there any work that needed done or maintenance issues?
1 1	A That's right.	7	the car around that time? Was there any work
8	A That's right. Q What did you do after that?	7 8	the car around that time? Was there any work that needed done or maintenance issues?
8	A That's right. Q What did you do after that? A After calling 911 I waited for	7 8 9	the car around that time? Was there any work that needed done or maintenance issues? A No.
8 9 10	A That's right. Q What did you do after that? A After calling 911 I waited for the officers to respond. Two officers came. I	7 8 9	the car around that time? Was there any work that needed done or maintenance issues? A No. Q All right.
8 9 10 11	A That's right. Q What did you do after that? A After calling 911 I waited for the officers to respond. Two officers came. I gave a stolen vehicle report and they said that	7 8 9 10	the car around that time? Was there any work that needed done or maintenance issues? A No. Q All right. When you were without the car
8 9 10 11 12	A That's right. Q What did you do after that? A After calling 911 I waited for the officers to respond. Two officers came. I gave a stolen vehicle report and they said that they would drive around the block looking for	7 8 9 10 11	the car around that time? Was there any work that needed done or maintenance issues? A No. Q All right. When you were without the car that night, how did that make your feel?
8 9 10 11 12	A That's right. Q What did you do after that? A After calling 911 I waited for the officers to respond. Two officers came. I gave a stolen vehicle report and they said that they would drive around the block looking for it. They asked me for distinctive	7 8 9 10 11 12	the car around that time? Was there any work that needed done or maintenance issues? A No. Q All right. When you were without the car that night, how did that make your feel? A Frustrated, worried, annoyed
8 9 10 11 12 13	A That's right. Q What did you do after that? A After calling 911 I waited for the officers to respond. Two officers came. I gave a stolen vehicle report and they said that they would drive around the block looking for it. They asked me for distinctive characteristics about the car that would make	7 8 9 10 11 12 13	the car around that time? Was there any work that needed done or maintenance issues? A No. Q All right. When you were without the car that night, how did that make your feel? A Frustrated, worried, annoyed that I was getting the run around from the
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1	Page 39 Chester or 43rd south of Chester.	1	any reports at that time?
2	Q And so the police district had	2	A No.
3	that report.	3	Q Or did they send you any
4	Did you have any other	4	correspondence afterwards?
5	interactions with the police district?	5	A No.
6	A I'm not sure I understand the	6	Q So after you had that last
7	question.	7	interaction you were describing where they said
8	Q You had talked to the officer.	8	a week later, do you recall the date when you
9	He said the stolen report hadn't been filed	9	called to check on the status?
10	yet.	10	A I don't remember the exact date,
11	And what happened after that?	11	but it was a week or more later.
12	A After that I asked him what I	12	Q What happened after that?
13	should do to make sure that the stolen report	13	A After that I didn't think about
14	doesn't get filed after the found report so	14	it until I was arrested in New Jersey, LBI on
15	that the car would then continue to be in	15	May 29th of 2020.
16	stolen status. He suggested I call the 18th	16	Q So you said May 29th?
17	District about a week later to confirm that the	17	A Right.
18	car was not in stolen status so I did that and	18	Q You were going about your normal
19	I did call about the week after the 13th when I	19	business in Philadelphia between February and
20	found the car and the 18th District told me	20	May 29th; is that right?
21	that my car was not in stolen status.	21	A Yes.
22	Q But they did they when you	22	Q Did you continue to drive the
23	talked to them, did you did you confirm	23	car?
24	anything about the reports that you had	24	A Yes.
1	Page 40 submitted or that were made? Like, you had	1	Page 42 Q You continued to park the car as
2	made a report. You know that it was made and	2	you had described in your earlier testimony?
3	it wasn't filed, but when you called back, did	3	A Yes.
4	you did they talk about the reports or did	4	Q Did you continue to use it to
5	they tell you the status wasn't as stolen?	5	perform all the usual tasks, like, going to the
6	A I explained to them the	6	prison and going to work?
7	situation which was on February 12th the car	7	A Yes.
8	I reported the car stolen and on February 13th	8	Q Okay.
9	I reported it found. I told them I wanted to	9	A Well, I should say though that
10	be sure that it was not in stolen status and	10	the pandemic shut everything down in mid March
11	that the stolen report had not over run or over	11	2020 so I shouldn't say that it was business as
12	ridden the found report and they confirmed that	12	usual. I was no longer going into the prison
13	the car was not in stolen status.	13	as frequently, if at all and I wasn't out and
14	Q When you were having these	14	about as much as you would be before the
15	interactions with the 18th Police District, did	15	pandemic.
16	they ever provide you any documentation	16	Q Were you working from home
17	regarding those interactions or the reports	17	during that time?
18	that you had made?	18	A Yes. Since the pandemic shut
19	A Each time I made a police report	19	down the courts between March 16, 2020 and I
20	I asked the reporting officer to give me the DC	20	want to say June of 2020 fully. After June of
21	number, the district control number related to	21	2020 there was a limited opening in which my
22	the report, but I didn't get any other police	22	office began returning to certain tasks.
23	paperwork.	23	Q So there were no hearings in the
24	Q So they never gave you a copy of	24	criminal courts during that time?

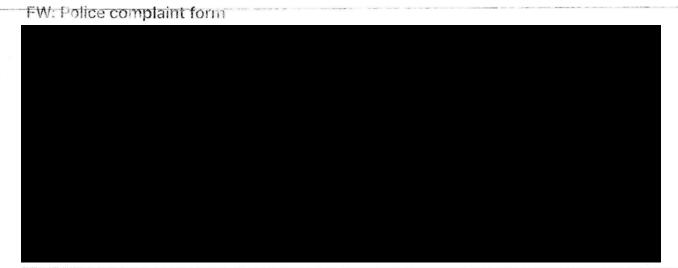
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1	Page 43 A Certain hearings were	1	Page 45 Q Had you arrived yet for the
2	continuing, but on a very limited basis.	2	weekend or no?
3	Q So for your job, you weren't	3	A No, this was the first day that
4	going to the prisons during that time?	4	we had driven down.
5	A I don't think I returned to	5	Q So you hadn't seen your friends
6	State Road until summer of 2020.	6	there yet?
7	Q Did you hear at all from the	7	A Correct.
8	City about the tow or the police district about	8	Q Who was driving the car?
9	your car during those months?	9	A My friend.
10	A No, I did not get any	10	Q What's his name?
11	information until after the arrest and then the	11	A Bandar. The same person I
12	complaint that I filed after that fact.	12	referenced before.
13	Q So during February and then when	13	Q And before you got stopped, did
14	the pandemic hit during March, April and early	14	you notice the police in the area?
15	May, were you traveling outside the City in the	15	A No.
16	car?	16	Q Had the police been following
17	A Occasionally. Very little was	17	you?
18	open, but I would go to, for example, parks	18	A I don't know. I was on the
19	outside the City just to get away from the City	19	phone talking to a different friend at the time
20	for a little bit, grocery shopping, things like	20	we had gotten pulled over so I wasn't really
21	that.	21	looking around like that.
22	Q Did you travel to visit your	22	Q I just want to go back and just
23	parents out of state?	23	clarify one thing about when the vehicle had
24	A No, not in that time period.	24	gotten towed. Like, when you if we go back
1	Page 44 Q Did you travel to visit any	1	Page 46 to that first time, I believe it was the 12th
2	other friends out of state during that time	2	of February when you noticed the car was gone.
3	period?	3	Did you suspect at that time
4	A I don't think so, no.	4	that it had been towed by the City?
5	Q Would you say that when you went	5	A Yes.
6	to New Jersey, was that the first time you had	6	Q Did you think it had been
7	driven in New Jersey during that time period?	7	stolen?
8	A It's I think so, yes. It's	8	A No.
9	possible we went to the shore another time, but	9	Q Did you file a report because
10	I don't think I don't think so.	10	the police told you to?
11	Q So describe that trip, where	11	A Yes.
12	were you heading?	12	Q Okay. All right.
13	A I was visiting with my friend	13	So when you got stopped back on
14	we were visiting another friend in Long Beach	14	May 29th, were you surprised?
15	Island. Their parents had a beach house there	15	A Yes.
16	and they were staying with them.	16	Q Tell us about that incident.
17	Q Were you were you on your way	17	Tell us what happened.
18	to the shore house when you got pulled over?	18	A I was on the phone with my
19 20	A I was within 1,000 feet of the	20	friend. I told him I needed to get off the
21	shore house when we got pulled over. Q So were you coming from the	21	phone immediately because four SUV police
22	Q So were you coming from the shore house or were you going to the shore	22	officers had essentially blocked us in as we had turned into a one-way street I'm sorry
23	house?	23	a dead end street that would have been my
22	110400.	1~~	a asaa sha serese shat would have been my
24	A Going.	24	friend's house street. On the mega phones and

П	Page 47	П	Page 49
1	they were screaming things like stop, get out	1	neighborhood?
2	of the car, throw the keys out the window, turn	2	A Yes.
3	off the car and throw the keys out the window.	3	Q Just for the record I'm going to
4	They're just screaming into these mega phones.	4	ask this question, how do you feel you were
5	So I told my friend I had to get off the phone	5	treated by the police at that time?
6	immediately.	6	A It was terrifying. I mean, they
7	I look in the passenger rear	7	wouldn't I mean, they had guns pointed at
8	view side mirror and I see that we're flanked	8	us. They wouldn't really hear out what we had
9	by these SUV cops and they're screaming at us.	9	to say until I was able to convince them to go
10	I tell my friend to turn off the vehicle and	10	and pull that report and call the district. At
11	throw the keys out of the car. We were so	11	first they refused to call the district. They
12	panicked that he just managed to throw the car	12	said that it's not their responsibility, but I
13	in park. Actually, I'm sorry. He managed to	13	told them that I was a lawyer and I just kept
14	turn off the car and throw the keys out the	14	encouraging them to do that. Luckily, there
15	window without even putting the car in park.	15	was a sergeant on scene who was willing to take
16	The police officers ordered us out of the car.	16	charge, but it was a terrible experience.
17	They had guns pointed at us. They told us to	17	Q What is your ethnicity?
18	put our hands behind our head and walk	18	A I'm Egyptian.
19	backwards towards them without turning around.	19	Q Okay.
20	They each handcuffed both of us and told us	20	And how about your friend who
21	that we were under arrest.	21	you were with?
22	Q Did you have any did you talk	22	A He's Saudi Arabian.
23	to the cops at that time?	23	Q Do you do you feel like you
24	A Yes.	24	would have been treated differently if you were
-		_	
1 1	Page 48		Page 50
1	Q What did you say?	1	white?
2	Q What did you say? A I asked them why we were being	2	white? A Yes.
2	Q What did you say? A I asked them why we were being arrested. They said that the car was stolen	2	white? A Yes. Q Did the police ever make any
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q What did you say? A I asked them why we were being arrested. They said that the car was stolen and at that point I told them it was not stolen and I had a police report I'm sorry a police DC number confirming that in my vehicle. First, I asked them when it was reported stolen and they said February 2020 and at that point I knew that we were talking about the incident where it was towed and I had to report it stolen and it was not, in fact, stolen. So, you know, it took about an hour for them to confirm that the car was not stolen. Originally they did get information that it was stolen and that they should arrest us, but I kept telling them to call the Philadelphia Police District specifically the 18th District, give them the DC number for the found report and confirm the car was not	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	white? A Yes. Q Did the police ever make any statements that you felt went towards your ethnicity? A No. Q Okay. Do you think they acted inappropriately at all? A Yes. Q And specifically why? What makes you say that? A The entire the entire situation was extremely aggressive. I'm sure it was perfectly protocol for them to pull guns on us, to flank us, to immediately handcuff us, to not release us from the handcuffs when they continued their investigation. I'm sure all of that was protocol, but it was aggressive. It
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q What did you say? A I asked them why we were being arrested. They said that the car was stolen and at that point I told them it was not stolen and I had a police report I'm sorry a police DC number confirming that in my vehicle. First, I asked them when it was reported stolen and they said February 2020 and at that point I knew that we were talking about the incident where it was towed and I had to report it stolen and it was not, in fact, stolen. So, you know, it took about an hour for them to confirm that the car was not stolen. Originally they did get information that it was stolen and that they should arrest us, but I kept telling them to call the Philadelphia Police District specifically the 18th District, give them the DC number for the found report and confirm the car was not stolen. Q How many how many police cars	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	white? A Yes. Q Did the police ever make any statements that you felt went towards your ethnicity? A No. Q Okay. Do you think they acted inappropriately at all? A Yes. Q And specifically why? What makes you say that? A The entire the entire situation was extremely aggressive. I'm sure it was perfectly protocol for them to pull guns on us, to flank us, to immediately handcuff us, to not release us from the handcuffs when they continued their investigation. I'm sure all of that was protocol, but it was aggressive. It was forceful. It was scary and it was inappropriate.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q What did you say? A I asked them why we were being arrested. They said that the car was stolen and at that point I told them it was not stolen and I had a police report I'm sorry a police DC number confirming that in my vehicle. First, I asked them when it was reported stolen and they said February 2020 and at that point I knew that we were talking about the incident where it was towed and I had to report it stolen and it was not, in fact, stolen. So, you know, it took about an hour for them to confirm that the car was not stolen. Originally they did get information that it was stolen and that they should arrest us, but I kept telling them to call the Philadelphia Police District specifically the 18th District, give them the DC number for the found report and confirm the car was not stolen. Q How many how many police cars were there again?	2 3 4 5 6 7 8 8 9 100 111 122 133 144 155 166 177 18 19 20 21 22	white? A Yes. Q Did the police ever make any statements that you felt went towards your ethnicity? A No. Q Okay. Do you think they acted inappropriately at all? A Yes. Q And specifically why? What makes you say that? A The entire the entire situation was extremely aggressive. I'm sure it was perfectly protocol for them to pull guns on us, to flank us, to immediately handcuff us, to not release us from the handcuffs when they continued their investigation. I'm sure all of that was protocol, but it was aggressive. It was forceful. It was scary and it was inappropriate. Q So you said it took about an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q What did you say? A I asked them why we were being arrested. They said that the car was stolen and at that point I told them it was not stolen and I had a police report I'm sorry a police DC number confirming that in my vehicle. First, I asked them when it was reported stolen and they said February 2020 and at that point I knew that we were talking about the incident where it was towed and I had to report it stolen and it was not, in fact, stolen. So, you know, it took about an hour for them to confirm that the car was not stolen. Originally they did get information that it was stolen and that they should arrest us, but I kept telling them to call the Philadelphia Police District specifically the 18th District, give them the DC number for the found report and confirm the car was not stolen. Q How many how many police cars	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	white? A Yes. Q Did the police ever make any statements that you felt went towards your ethnicity? A No. Q Okay. Do you think they acted inappropriately at all? A Yes. Q And specifically why? What makes you say that? A The entire the entire situation was extremely aggressive. I'm sure it was perfectly protocol for them to pull guns on us, to flank us, to immediately handcuff us, to not release us from the handcuffs when they continued their investigation. I'm sure all of that was protocol, but it was aggressive. It was forceful. It was scary and it was inappropriate.

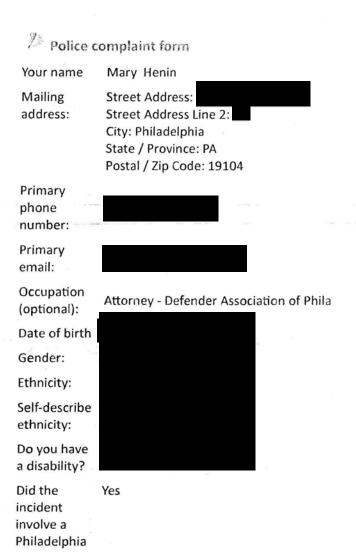
1	Page 63 anymore. He was sick and he had gotten	1	Page 65 is scary to be driving around myself.
2	progressively more sick and I was making a lot	2	If you want me to put a number on it
3	of trips to Virginia at the time and so instead	3	I'll say 100,000. You know, because
4	of taking the train back and forth my parents	4	there's no number that's going to fix
5	offered that I take the car so that I could go	5	all that stuff that has already
6	back and forth to Virginia. And eventually my	6	happened.
7	father passed away and my mom didn't have use	7	But you want to talk about how
8	for two cars because the car is jointly insured	8	scary it was and how traumatic it was.
9	and registered with her car. It didn't make	9	You know, I'm grateful that I don't have
10	sense to separate them or to sever them or to	10	lasting therapy or that I didn't need to
11	change the registration so I never did.	11	change jobs or anything because of it,
12	Q Do you do you still have the	12	but I'm not happy about it.
13	car?	13	BY MR. JOHNSON:
14	A Yes.	14	Q Do you know anyone else who's
15	Q Is it registered in your name	15	been through a similar experience having been
16	now?	16	arrested as a result of a courtesy tow?
17	A No, it's still in my mom's name.	17	A Personally, no.
18	Q Does your insurance company know	18	Q Have you heard about anyone like
19	that?	19	that?
20	A Yes.	20	A No, but it was one of the things
21	Q Okay.	21	on my mind when they told me to report my car
22	Do you feel like did you ever	22	stolen because I did not want to be driving
23	seek help from a therapist or anything as a	23	around in a stolen vehicle.
24	result of this?	24	Q Did you ever did you ever
	Page 64	Н	Page 66
1	A No.	1	find out why the tow had happened?
2	Q Are you seeking money damages at	2	A I believed it was because of
3	all?	3	tree cutting work that they were doing. I I
4	A Yes, as part of the lawsuit.	4	was able to figure that out myself because
5	Q For what?	5	eventually they did the other side of the
6	A There's no requested amount.	6	block. They were doing tree cutting on that
7	Q What do you think a fair number	7	side of the block and I happened to just look
8	would be?	8	up and notice that they had cut trees on my
9	A I mean, honestly	9	side of the block.
10	Q And what what is it based on,	10	Q Do you know who actually towed
11	in your mind?	11	the car, was it PPA or was it a contractor?
12	MR. KOHN: You can answer.	12	A It was ticketed by the City of
13	THE WITNESS: I mean,	13	by Philadelphia Police, but I don't know if
14	realistically, what I went through was	14	it was the police or if it was a private tow
15	horrible and so and it was horrible	15	company that moved the car.
16	for me and my friend. He's a bearded	16	Q Okay.
17	Saudi man being pulled over by shore	17	Do you have any social media
18	cops, young, untrained, trigger happy	18	accounts?
19	shore cops. If I could put a number on	19	A Yes.
20	that it would easily be double whatever	20	Q Which platforms?
21	you know, whatever I could even	21	A Facebook, Instagram, Snapchat.
22	imagine for myself. You know, his	22	Q Did you post about this incident
23	trauma has also affected me. It is	23	on any of your social media?
24	scary to be driving around with him. It	24	A No, I don't think so.

_			
1	Page 67 Q Has your car ever been towed	1	Page 69 A No.
2	after this incident?	2	Q What was the classification of
3	A It has actually.	3	the spot it was in?
4	Q What was what happened there?	4	A It was, I'm pretty sure, a
5	A It was just parked in a loading	5	loading zone.
6	zone so it was a normal PPA tow.	6	Q Are you aware was it a loading
7	Q And what did you do as a result	7	zone or was it two hour parking?
8	of that tow?	8	A I'm pretty sure it was a loading
9	A I called PPA. They told me	9	zone.
10	exactly where the car was and I was able to	10	Q Did you get a parking ticket as
11	recover it within an hour.	11	a result of that?
12	Q Did you have to pay to get it	12	A The only ticket it had on it was
13	out?	13	for the PPD towing ticket. There was not a PPA
14	A Yes.	14	ticket for anything else.
15	Q Okay.	15	Q So it was not a parking
16	Have you ever been the plaintiff	16	violation?
17	in a lawsuit before?	17	A No.
18	A No.	18	Q So the towing ticket, was there
19	Q Have you ever been a defendant	19	a fine associated with that?
20	in a lawsuit?	20	A Yes.
21	A No.	21	Q How much was that fine?
22	Q Have you ever been convicted of	22	A I think it was around \$52.
23	a crime?	23	Q \$52.00.
24	A Nope.	24	Did you pay that?
1	Page 68 Q Have you ever been charged with	1	Page 70 A Yes.
2	a crime?	2	Q Did you ever file an appeal to
3	A No.	3	that?
4	MR. JOHNSON: All right. At this	4	A No.
5	time can we take a brief recess? I'm	5	Q And after that, did you ever
6	just going to look over my notes and	6	find any you know, back on your block on the
7	talk to Shelly and let you know if I	7	4200 block of Chester, did you find any signage
8	have a few more questions, but I think	8	related to temporary parking restrictions on
9	we're almost done.	9	the block?
10	MR. KOHN: Great. Sure. Thanks.	10	A At some point, I don't remember
11		11	when exactly, I found on the ground one of
12	(Whereupon, there was a	12	those red and white restricted temporary
13	brief recess.)	13	parking signs, but it had been rained on. It
14		14	was pretty tethered. I don't think I could
15	MR. JOHNSON: A few more	15	even really read the dates on it.
16	questions and I think we'll be done.	16	Q So when you found that, it was
17 E	BY MR. JOHNSON:	17	you're saying it wasn't legible?
18	Q So if we go back to the time you	18	A Correct.
19	found your car, I believe it was February 13,	19	Q Did you do recall what day
1 1	2020, when you found your car at the corner of	20	that was?
20	2020, when you round your car at the corner or		
20 21	you said 43rd and Pine Street; is that right?	21	A No, I don't remember when I
		21 22	A No, I don't remember when I found it.
21	you said 43rd and Pine Street; is that right?		·

Exhibit C



External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.



Police Officer?

Location of incident:

4200 Chestnut St.

Date and

time of

February 2020

incident:

Was the incident digitally

No

recorded?

Were you

No

No

arrested?

Are criminal

charges pending?

Is there a Philadelphia

Police report? Yes

If yes, report/DC#:

20-18-012854; 20-18-012949

Please describe incident in detail:

February 12, 2020), the city was cutting trees on my block and had posted restricted parking notices. I had missed the signs, and I did not move my car. I had last used my car on February 5, 2020. On February 12, 2020, I had given my key to my friend to borrow my car. When he arrived to 4200 Chester Ave, where I told him the car was parked, it wasn't there. I met him on the block, and the car was not there. I suspected that courtesy towing was a possibility because there was an old "restricted parking sign" on the ground. It had been rained on and torn, so I could not read the date on it. I called the 18th Police District to see if there had been any towing on 4200 Chester Ave. between February 5 and February 12. I spoke to several officers, all of whom said there was no record of my car being towed or of any towing occurring in 4200 Chester Ave in the last 2-4 weeks. The district officers all recommended that I report the car stolen. I explained that the car has Virginia plates and a push-button start, making it unlikely to be stolen. I asked if there was any other way to create a record for police to look for the vehicle without having to report it stolen. I feared finding the car and then being stopped in the future for driving my own car in stolen status. The district officers all told me that the only way to create a record of the car for police to find it is to report it stolen. They also said that if there was no record that the car had been towed, then it was likely stolen. I called 911 at about 10:30pm, and two 18th District officers responded. The recorder PO (Badge) took the stolen car report. I did not get the name of her partner, the driver, but I remember that he was a man. I believe he was a Black officer. PO filled out a

Sometime in mid-February (sometime between February 5 and

stolen car report, with my name as the listed complainant. The DC # for the stolen car report was 20-18-012854. PO and her partner recommended that I go out looking for the car myself in case it was courtesy towed.

The next morning, February 13, 2020, I borrowed a friend's car and drove around the neighborhood. I had met the friend before she left for work, so it was around 8:30am. I found my car within 10 minutes. It was parked on the corner of 43rd and Pine Streets (exactly 3 blocks from my house) in front of the Colonial Pizza. On the windshield was a typed piece of paper warning that the car needed to be moved and a ticket issued by the Philadelphia police for parking in a restricted zone (about \$50 - with fees the ticket was \$54.50). I called the 18th District again to report the car as found, and they said I had to call 911 to file a new report. I called 911, and (Badge) took the report. The DC # for the found report was 20-18-012949. When PO Stokes gave me my DC # and reported the car as found, he told me that the car was not showing up in stolen status. I asked him if that could be because the night officers had not filed their paperwork yet. And he said yes, that was most likely, and I should call the district to make sure the car is not in stolen status. After about a week, I called the 18th District to make sure the stolen car paperwork wasn't filed and my car was not in stolen status. The district officer that I spoke to said the car was not in stolen status.

On May 29, 2020, and I were driving in Long Beach Island at the Jersey Shore. was driving. We were pulled over by 4 SUVs with tasers drawn. We were both ordered out of the car with our hands up. We were both immediately detained and handcuffed. had his pockets searched. Het the officers know that I was a lawyer. They told me we were being pulled over because the car was showing up as stolen in NCIC. I asked them from when, and they said "the first week of March." That would have been 2.5 - 3 weeks after I reported the car as stolen and 1.5-2 weeks after I called to verify that the stolen car paperwork was not filed after the found paperwork. I explained the situation to the LBI police and gave them the DC # for the found car report, which I kept in my glove compartment. handcuffed on the side of the road for 45 minutes while the LBI police waited to hear verification from Philadelphia that the car was not stolen. My car was searched and papers thrown around, trashed. It was a terrifying and traumatizing situation. I am still worried that it can happen again or anytime I drive the car if the paperwork is still not straightened out properly. It is an enormous waste of police resources. All of this could have been avoided if 2 things happened: 1) the 18th District kept proper documentation on the courtesy towing that happened, especially considering they had ticketed my car and should have had a record of the ticket; and 2) PO Geddy and her partner did not wait 3 weeks to file their paperwork. Ma

Number of Police Officers:

2

City_00127

Badge: Name: Sex: Race: Badge: Name: Sex: Race: Number of 2 witnesses: Name: Address: Street Address: Street Address Line 2: City: Philadelphia State / Province: PA Postal / Zip Code: 19103 Phone Number: Name: Address: Street Address:

Signature of complainant

Phone Number:

Date:

06/01/2020

How did you hear about

the

Philadelphia

Referral

Police Advisory Commission?

You can edit this submission and view all your submissions easily.

Exhibit D

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN EASTMAN; MARY HENIN: AMANDA HAY and MATTHEW ALLEN, individually and on behalf : Of all others similarly,

:

Plaintiffs,

•

VS.

.

THE CITY OF PHILADELPHIA,

Defendant.

NO. 21-02248

:

WEDNESDAY, OCTOBER 26, 2022

Oral deposition of MATTHEW WHITE held at the Law Offices of Kohn, Swift & Graf, 1600 Market Street, Philadelphia, Pennsylvania, commencing at 1:02 p.m., by and before Jo-Anne M. Bosler, Professional Shorthand Reporter and Notary Public.

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	Page 10		Page 11
1	connection to posted construction work	1	was construction going on in a given sign
2	that was going to happen.	2	and signs are posted.
3	Q. Is it fair to say that was used as	3	Q. And that was the policy of the
4	a shorthand way to describe the moving of	4	department?
5	vehicles in connection with the types of	5	A. Yes.
6	things you just mentioned?	6	Q. And the department is part of the
7	A. That's fair.	7	City of Philadelphia; right?
8	Q. Was it used interchangeably at	8	A. Yes.
9	times with relocation or relocation	9	Q. Would you say that it was,
10	towing?	10	therefore, a policy of the City of
11		11	Philadelphia to relocate cars under
12	\mathcal{E}	12	certain circumstances that you just
13	1 1	13	described?
14		14	A. Again, it was a policy of the
15		15	police department to the extent that the
16	1 0	16	police department is a part of the city.
17		17	But as it's hard to answer for the larger
18	1 &	18	city when I was only inside the police
19		19	department.
20	vehicles that might be necessary at times?	20	Q. And when you were talking about
21		21	those policies while you were working with
22		22	the city, would the term relocation or
23		23	relocating ever be used as a shorthand to
24	or emergency situations or also when there	24	describe that cluster of circumstances
	Page 12		Page 13
1	when cars were moved?	1	been marked as White Exhibit Number 1.
2	A. Not that I can recall. But I	2	And this is a three page document which
3	believe we provided the directives when	3	bears the production numbers in the lower
4	where I policy I might use that word	4	right-hand corner, City 00122, 123 and 124
5	interchangeably with directive, which the	5	produced to us in this litigation by the
6	police department is guided by I don't	6	city.
7	know somewhere in the neighborhood of	7	Have you ever seen this document
8	200 directives. And I believe at least	8	before?
9	one or more of them touch on the towing of	9	A. I may have. This is a PAC
10		10	document Police Advisory Commission,
11		11	which I have seen may of in my time
12		12	working in the police department.
13	3 6 6 1	13	Q. Do you recall seeing it in
14		14	connection any role you may have played in
15		15	this litigation, Eastman versus City of
16	•	16	Philadelphia?
17		17	A. Can you rephrase the question. I'm
18		18	sorry.
19	1 &	19	Q. Have you do you recall ever
20		20	seeing this document with respect to
21	1	21	anything you may have done in connection
22	purposes, as Exhibit White-1.)	22	with this lawsuit, Eastman versus
23		23	Philadelphia, the reason why you're here
24	Q. What is placed before you what has	24	today?

	Page 30		Page 31
1	A. Yes.	1	that's been marked as Exhibit-3 before
2	Q. Are there consequences if you do	2	today?
3	not comply to the directives?	3	A. Yes.
4	A. Yes.	4	Q. When did you see it? When did you
5	Q. What kinds of consequences?	5	last see it?
6	A. Formal discipline within the police	6	A. I last saw it an hour and some
7	department can range anywhere from a	7	change ago.
8	verbal reprimand up to dismissal from the	8	Q. When was the last time you saw it
9	police department.	9	before that?
10	Q. These are not just sort of a	10	A. Probably the date that I signed the
11	aspirational goals; these are something	11	verification, which was June 10th.
12	that's more deep than that is.	12	Q. Looking at the question
13	Is that fair?	13	Interrogatory Number 1, on Page 4 and the
14	A. Yes.	14	answer the second paragraph of the
15	Q. I'm going to mark this document as	15	answer refers to the Philadelphia police
16	Exhibit-3. These are Defendant's	16	department.
17	Objections and Responses to Plaintiff's	17	My question is, is that a full and
18	First Set of Interrogatories. It's dated	18	complete answer to Interrogatory Number 1
19	June 10th, 2022.	19	as it relates to the police department?
20	(Whereupon the document	20	A. No.
21	was marked, for identification	21	THE COURT REPORTER: I'm
22	purposes, as Exhibit White-3.)	22	sorry. What was that?
23	BY MR. KOHN:	23	THE WITNESS: No.
24	Q. Have you ever seen the document	24	
	Page 32		Page 33
1	BY MR. KOHN:	1	that, couldn't it?
2	Q. It is not a full and complete	2	A. It's also asking about something
3	answer?	3	I'm not familiar with, which is it
4	A. Not to the extent that it asks to	4	appears to be a proper noun, in three
5	identify management supervisory level or	5	words, The City's Relocation Program.
6	higher employees.	6	That's not something that the city, to my
7	Q. Did you endeavor to answer that	7	knowledge, engages in.
8	portion of the interrogatory when you were	8	There's a wide variety of movement
9	doing your work before June 10th?	9	of vehicles. I think we described the
10	A. I would have say that would not be	10	circumstances under which we would do it.
11	possible to do, although without an	11	But never was that formalized under
12	undue burden. There's so many supervisory	12	something called the City's Relocation
13	level people within the police department	13	Program.
14	that there's such a need to get a entire	14	Q. But you understand that the
15	roster of the police department.	15	relocation of vehicles were done for
16	Q. Who have responsibility for the	16	parades and special events which it
17	city's relocation of vehicles?	17	states in this answer; correct?
18	A. Any aspect of it?	18	A. Yes.
19	Street supervisor in the police	19	Q. And you understood that when we
20	department can ask to have a vehicle moved	20	talked a few moments ago when I just asked
21	if they thought it was necessary given	21	you generally about the term, "relocation
22	whatever events were unfolding on the	22	program."
23	street.	23	So when you answered the
24	Q. And the answer could have stated	24	interrogatories you understood that that's



Exhibit E



PHILADELPHIA POLICE DEPARTMENT

DIRECTIVE 12.5

Issued Date: 06-12-15 Effective Date: 06-12-15 Updated Date: 11-15-21

SUBJECT: POLICE TOWING OF VEHICLES

PLEAC 1.2.3e

1. POLICY

- A. The primary function(s) of the Police Tow Squad is the relocation or impoundment of vehicles for the following situations:
 - 1. Vehicles relocated for parades, special events, major accidents, including tractor-trailers, and disabled vehicles which cause a hazardous situation.
 - 2. Impoundment of vehicles involved with homicides, crime scenes, "Guard for Fingerprints" and investigations (major crimes, etc.). Fatal accidents or accidents involving vehicle safety checks will be determined by the Accident Investigation District (AID).
 - 3. All policies concerning the Towing of Recovered Stolen Vehicles will be followed as outlined in Directive 12.7, Appendix "B."

NOTE: All policies concerning the towing of police vehicles will be followed as outlined in Directive 9.8, "Maintenance, Servicing and Repair of Police Vehicles".

2. PROCEDURES

- A. Police Officer/Investigator seeking to tow a vehicle will:
 - 1. Supply Police Radio with the following:
 - a. Location of the vehicle.
 - b. Make, model, color, and condition of vehicle,
 - c. State, license plate number, and vehicle identification number (VIN),
 - d. Specific reason for tow request,
 - e. Weight/cargo, if possible, of any **overturned** tractor-trailer and placard information of any hazardous cargo.
 - 2. Complete a Complaint/Incident report (75-48) and a Vehicle/Pedestrian Investigation Report (75-48A) with pertinent information and give it to the Operations Room Supervisor.

DIRECTIVE 12.5 - 1

Exhibit F

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN EASTMAN, MARY HENIN, : CIVIL ACTION AMANDA HAY, and MATTHEW ALLEN,: Individually

and on behalf of :

all others similarly situated:

: CLASS ACTION

VS.

THE CITY OF PHILADELPHIA : NO. 21-02248

Tuesday, October 11, 2022

Videoconference deposition of LIEUTENANT MICHAEL ANDERSON, currently located in Pennsylvania, taken pursuant to notice, was held remotely via Zoom, commencing at 9:13 a.m., on the above date, before Lori A. Zabielski, a Registered Professional Reporter and Notary Public in and for the Commonwealth of Pennsylvania.

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	Page 10		Page 11
1	A. The tow squad is consisting	1	any other large-type vehicle like that
2	of almost all civilian employees who are	2	that would be beyond the scope of the
3	tow truck operators or heavy-duty wrecker	3	equipment that I have.
4	operators. We are responsible for towing	4	Q. I see.
5	on guard for transfer evidentiary	5	
6	vehicles into our headquarters or another	6	(Reporter clarification at
7	secure facility for investigations. We	7	this time.)
8	also coordinate with the City in response	8	
9	to snow emergencies to tow cars off snow	9	THE WITNESS: Rob's Towing.
10 11	emergency routes. And we also do job	10 11	BY MR. HOESE:
12	details throughout the City for other special events, parades, foot races,	12	Q. Lieutenant Anderson, have you ever heard the expression "courtesy
13	things like that, demonstrations.	13	towing"?
14	Q. And does the tow squad have	14	A. I have only heard that
15	its own fleet of tow vehicles?	15	through news articles that people have
16	A. Yes, we do.	16	sent me.
17	Q. Does the City or does the	17	Q. Okay. Do you use the term
18	tow squad ever use third-party tow truck,	18	"relocation" when the tow squad is doing
19	private tow truck operators as part of	19	its work?
20	its work?	20	A. Yeah, a relocation is
21	A. We have a contract	21	something that we would do when we are
22	currently. It's with Rob's Towing for	22	not going to take it to an impound
23	heavy wrecker operations, something that	23	facility or a secure facility for
24	would require, like, a tractor trailer or	24	evidence. We would just relocate it.
	Page 12		Page 13
1	Q. Got it. Got it. Okay.	1	So I don't know if there is
2	Well, let's start with, Lieutenant	2	one set person that writes a directive.
3	Anderson, are you familiar with police	3	It's kind of a collaborative approach.
4	department Directive 12.5?	4	Q. I see. Okay. All right.
5	A. Yes.	5	MR. HOESE: What I am going
6	Q. What is a police directive?	6	to do is what I would like to
7	A. It's a document that they've	7	have marked as Anderson Exhibit-1
8 9	created to use as a guide while performing your duties as a police	8 9	is police department direct or Philadelphia Police Department
10	officer.	10	Directive 12.5.
11	Q. Do you know who prepares the	11	
12	police directives?	12	(Anderson-1 marked for
13	A. Throughout the years, it's	13	identification at this time.)
14	been different departments. It's changed	14	
15	names. However, they usually come up	15	BY MR. HOESE:
16	with a policy and then send it out to	16	Q. I was practicing this on
17	commanders for review, so it's created by	17	Friday. Let me see if I can do it
18	a I believe research and planning	18	properly today. Well, all right. Let's
19	right now, but it's sent out for, like I	19	try again.
20	said, review by all the commanders and	20	MS. REINHART: I was going
21 22	then recommendations are made and either	21 22	to say if you already have the
23	accepted and directed as change or they discuss it and, you know, decide to go	22	document open, then you should be able to when you do screen share
24	the original way.	24	select that particular one.



	Page 38		Page 39
1	A. I do not.	1	something else you want to see, you can
2	Q. Then we have E, and it talks	2	scroll, I think, down the whole document.
3	about the operations room supervisor.	3	But is this one of the 75s we were
4	Do you see that?	4	talking about earlier, the form numbers?
5	A. Yes.	5	A. Yes. If you scroll towards
6	Q. All right. And that's	6	the bottom, I think you can see what form
7	different from the radio room supervisor,	7	number it is. So that would be the 75-7.
8	correct, that person?	8	Q. Okay. And does this form
9	A. That's correct.	9	is this form filled out in connection
10	Q. And does he have anything to	10	with relocation tows?
11 12	do with relocation tows? A. No.	11 12	A. This is generally filled out
13		13	for vehicles who are going to be towed as part of the Live Stop program or I
14	Q. Okay. All right. What I am looking for here, I think there is I	14	believe the officer does this for a
15	know there is a here we go.	15	vehicle being towed and it's evidentiary
16	I am going to scroll down	16	as well but not for relocation.
17	to and I hope you can see is a	17	Q. Not for relocation. Okay.
18	sample of a Philadelphia Police	18	So this has the owner's
19	Department towing report.	19	information on it. Okay. Okay. This
20	Can you see that, Lieutenant	20	was not for relocation tows. Okay.
21	Anderson?	21	MS. REINHART: If I may also
22	A. I can see the top, yes.	22	just note that the document that
23	Q. All right. Again, I think	23	we were just looking at at the
24	you can adjust, too. If there is	24	bottom is City_00016 just for the
	Page 40		Page 41
-	i age 10		rage ii
		1	1:1
1	record.	1	licensed towing companies shall be
2	MR. HOESE: Okay. Thank	2	permitted to tow any illegally parked
2	MR. HOESE: Okay. Thank you.	2 3	permitted to tow any illegally parked vehicle from any licensed or unlicensed
2 3 4	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you.	2 3 4	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from
2	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE:	2 3	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of
2 3 4 5	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant	2 3 4 5	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is
2 3 4 5 6	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of	2 3 4 5 6	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of
2 3 4 5 6 7	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple,	2 3 4 5 6 7	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And
2 3 4 5 6 7 8 9	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private	2 3 4 5 6 7 8 9	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed
2 3 4 5 6 7 8 9 10	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways.	2 3 4 5 6 7 8 9 10	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing
2 3 4 5 6 7 8 9 10 11	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that?	2 3 4 5 6 7 8 9 10 11	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from
2 3 4 5 6 7 8 9 10 11 12 13	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can.	2 3 4 5 6 7 8 9 10 11 12 13	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No.
2 3 4 5 6 7 8 9 10 11 12 13 14	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say	2 3 4 5 6 7 8 9 10 11 12 13	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow	2 3 4 5 6 7 8 9 10 11 12 13 14	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways;	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right? A. That's correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in Appendix A, it has: Prior to towing a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right? A. That's correct. Q. All right.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in Appendix A, it has: Prior to towing a vehicle under this subsection of the City
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right? A. That's correct. Q. All right. A. Unless it is a police	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in Appendix A, it has: Prior to towing a vehicle under this subsection of the City Code, the towing company shall take a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right? A. That's correct. Q. All right. A. Unless it is a police situation.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in Appendix A, it has: Prior to towing a vehicle under this subsection of the City Code, the towing company shall take a digital photograph that clearly shows the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right? A. That's correct. Q. All right. A. Unless it is a police	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in Appendix A, it has: Prior to towing a vehicle under this subsection of the City Code, the towing company shall take a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. HOESE: Okay. Thank you. MS. REINHART: Thank you. BY MR. HOESE: Q. All right. Lieutenant Anderson, I wanted to ask you a couple of questions, and it may be only a couple, about Appendix A to Directive 12.5. And the first one here is towing from private lots and driveways. Do you see that? A. Yes, I can. Q. And is it accurate to say that the police department does not tow vehicles from private lots and driveways; is that right? A. That's correct. Q. All right. A. Unless it is a police situation. Q. Okay. So we see under 2:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	permitted to tow any illegally parked vehicle from any licensed or unlicensed parking lot, from private property, from any common driveway and from in front of any driveway where the vehicle is blocking access to the driveway. And then it goes on. But does the tow squad oversee the operations of the licensed towing companies when they are towing from A. No. Q parking lots and so on? A. No, we don't. Q. You don't. Okay. Do you see under E here in Appendix A, it has: Prior to towing a vehicle under this subsection of the City Code, the towing company shall take a digital photograph that clearly shows the following, and it has the license plate,



	D F0		Davis E1
	Page 50		Page 51
1	temporary no stopping signs, correct?	1	signs. They are probably 15 by 25 or
2	A. Correct.	2	something like that that you see posted
3	Q. And the issue date of this	3	generally with red that says temporary no
4	directive is May 27, 2009, same effective	4	parking. They are issued by the streets
5	date, and then updated 12/08/11.	5	department, utilized by streets, police,
6	So take a look at this. And	6	water department. They are also provided
7	can you tell me what this directive is	7	for private events. You know, if you are
8	designed to do?	8	having a moving truck coming and you can
9	A. This directive is regarding	9	apply for your streets department permit
10	the temporary no stopping signs that are	10	to get the parking spots in front of your
11	posted for a variety of reasons and how	11	house and then they will give you signs
12	it's supposed to be handled when there	12	to post. There is a variety of reasons
13	are violations.	13	why they get posted, but just to keep
14	Q. And do you see the policy is	14	people from parking in certain areas.
15	under 1: A Parking Violation Reports	15	Q. And you said that the
16		16	permits to obtain a temporary no stopping
17	will not be issued to vehicles parked	17	
18	prior to the posting of "Temporary No	18	sign are issued by the streets
19	Stopping" signs.	19	department?
	Do you see that?		A. That's correct. In the case
20	A. Yes.	20	of private, yes.
21	Q. All right. And the	21	Q. Private, right. Okay.
22	temporary no stopping signs, what are	22	A. A private person without
23	those?	23	going through that process obviously.
24	A. They are the white cardboard	24	Q. All right. So the police
	Page 52		Page 53
1		1	
1 2	department also from time to time puts up		signs directive applies regardless of who
2	department also from time to time puts up temporary no stopping signs; is that	2	signs directive applies regardless of who got the temporary or who put up the
2	department also from time to time puts up temporary no stopping signs; is that right?	2 3	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that
2 3 4	department also from time to time puts up temporary no stopping signs; is that right? A. Correct.	2 3 4	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right?
2 3 4 5	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job?	2 3 4 5	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes.
2 3 4 5 6	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No.	2 3 4 5 6	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess,
2 3 4 5 6 7	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you	2 3 4 5 6 7	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning
2 3 4 5 6 7 8	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the	2 3 4 5 6 7 8	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving
2 3 4 5 6 7 8 9	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into	2 3 4 5 6 7 8 9	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or
2 3 4 5 6 7 8 9	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up?	2 3 4 5 6 7 8 9	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some
2 3 4 5 6 7 8 9 10	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's	2 3 4 5 6 7 8 9 10	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up?
2 3 4 5 6 7 8 9 10 11 12	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe	2 3 4 5 6 7 8 9 10 11	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at
2 3 4 5 6 7 8 9 10 11 12 13	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe the general rule of thumb is always 48	2 3 4 5 6 7 8 9 10 11 12 13	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at the first page here. I don't know if
2 3 4 5 6 7 8 9 10 11 12 13 14	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe the general rule of thumb is always 48 hours, when possible.	2 3 4 5 6 7 8 9 10 11 12 13	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at the first page here. I don't know if they changed anything since the last time
2 3 4 5 6 7 8 9 10 11 12 13 14 15	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe the general rule of thumb is always 48 hours, when possible. Q. Do you know if anyone in	2 3 4 5 6 7 8 9 10 11 12 13 14	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at the first page here. I don't know if they changed anything since the last time I looked at it. But I believe this is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe the general rule of thumb is always 48 hours, when possible. Q. Do you know if anyone in connection with the private people who	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at the first page here. I don't know if they changed anything since the last time I looked at it. But I believe this is referring to all situations with no
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe the general rule of thumb is always 48 hours, when possible. Q. Do you know if anyone in connection with the private people who obtain these, if anybody checks to see if those signs are going up 48 hours in advance? A. I do not know. Q. In connection with the temporary no stopping I know you said	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at the first page here. I don't know if they changed anything since the last time I looked at it. But I believe this is referring to all situations with no parking temporary no parking signs. Q. Okay. Great. Thank you. Do you see under B: Before issuing a summons for violations of "Temporary No Stopping" regulations, police personnel will, and number 1 is:
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	department also from time to time puts up temporary no stopping signs; is that right? A. Correct. Q. Is that the tow squad's job? A. No. Q. Okay. All right. Do you have any idea how long before the temporary no stopping is to go into effect signs are supposed to be put up? A. I don't know that it's specifically listed in here. I believe the general rule of thumb is always 48 hours, when possible. Q. Do you know if anyone in connection with the private people who obtain these, if anybody checks to see if those signs are going up 48 hours in advance? A. I do not know. Q. In connection with the temporary no stopping I know you said	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	signs directive applies regardless of who got the temporary or who put up the temporary no stopping sign; is that right? A. Yes. Q. Okay. Meaning, I guess, yeah you said that, but just meaning that if I got one because I was moving and needed a space for a moving van or the police department put it up for some reason or streets put it up? A. Well, I am only looking at the first page here. I don't know if they changed anything since the last time I looked at it. But I believe this is referring to all situations with no parking temporary no parking signs. Q. Okay. Great. Thank you. Do you see under B: Before issuing a summons for violations of "Temporary No Stopping" regulations, police personnel will, and number 1 is:

	Page 54		Page 55
1	A. Yes, I do.	1	number for the owner?
2	Q. Can you tell me what goes	2	A. No.
3	into those efforts?	3	Q. No. Okay.
4	A. Generally, we run the tag or	4	If the police officer is
5	the VIN number to locate the owner's	5	able to find out the name and address of
6	information.	6	the owner, what is the police officer
7	Q. And who within the police	7	instructed to do after that?
8	department runs the VIN number?	8	A. Well, if it's local enough,
9	A. It would be whatever officer	9	they can go to the address and try and
10	is assigned out there prior to the	10	get the owner to move the vehicle or they
11	vehicle being towed.	11	can ask somebody else who might be closer
12	Q. Okay. Does he have like a	12	to do that. However, very often, owners
13	computer with him that he can do that	13	are not local, and therefore we can't
14	while he is out on the street?	14	really do anything with that information.
15	A. As long as there's an MDC	15	Q. Is any do you try to find
16	assigned to the vehicle that they are in,	16	a telephone number for the owners when
17	then they can just do it that way or they	17	you find out their name and address?
18	can do it through police radio.	18	A. We generally really don't
19	Q. All right. I see. All	19	have time to do that.
20	right. By doing that, are you able to	20	Q. Okay. Are any type of
21	obtain the can you obtain the name and	21	written materials left at the residence
22	address of the owner of the vehicle?	22	of the owner saying you have got to move
23	A. Yes.	23	your car or it's going to get towed?
24	Q. Can you obtain a phone	24	A. Generally, at that point, if
	Construction Function		
	Page 56		Page 57
1	they are not able to locate the owner or	1	to be posted 48 hours ahead of time, or
2	there is no response, then the vehicle is	2	at least that was the common practice
3	getting towed, so there is no point	3	that they were supposed to be, is a
4	leaving a message that they need to move	4	police officer supposed to obtain the
5	their car. It's kind of at that	5	listing more than 48 hours in advance
6	now-or-never point.	6	excuse me more than 48 hours before
7	Q. Would it be possible to	7	any towing would have to commence?
8	leave a message that says your car has	8	A. I don't understand your
9	been towed?	9	question.
10	A. I guess they could. But	10	Q. Okay. I think
11	they won't know where it's towed to yet,	11	understandably. Let me try again. I
12	so it's kind of a pointless message.	12	appreciate you doing that.
13	Q. Okay. And we will look at a	13	2 says, under B2, that
14	sign later, but the sign well, we will	14	police personnel will Contact the
15	wait until we look at the sign.	15	District Operations Room Supervisor (ORS)
16	And No. 2, under B, do you	16	and obtain a listing of all license plate
17	see the police officer is to contact the	17	numbers of the vehicles parked at the
18	district operations room supervisor or	18	location prior to the posting of the
19	ask and obtain a listing of all license	19	signs, which I believe we can correctly
20 21	plate numbers of the vehicles parked at	20 21	identify as the temporary no stopping
22	the location prior to the posting of the	22	signs.
23	signs? Do you see that? A. Yes.	23	And my question is, does that mean that 48 hours in advance of the
23 24	Q. So if the signs are supposed	24	area becoming a temporary no stopping
4 4	2. So it the sight are supposed	21	area occoming a temporary no stopping



	Page 102		Page 103
1	THE WITNESS: I have	1	tickets the vehicle, whether or not it
2	received requests for documents	2	has the ability to check the tow file to
3	through the City several times for	3	see if it's a relocated vehicle?
4	various things, so I don't know if	4	MS. REINHART: Objection.
5	it was for this particular case or	5	THE WITNESS: I don't know
6	not.	6	if they have the ability or not.
7	BY MR. HOESE:	7	MR. HOESE: Okay. Well, I
8	Q. Okay. What types of	8	appreciate your time today,
9	documents were you asked for?	9	Lieutenant Anderson. And I have
10	MS. REINHART: Objection.	10	no further questions at this time.
11 12	THE WITNESS: Just usually	11 12	MS. REINHART: I have just a
13	tow logs or tow reports. BY MR. HOESE:	13	few, if we have a couple more minutes.
14	Q. Were you able to find them	14	MR. HOESE: We do. I just
15	when you were asked for them?	15	wanted to I paused. But I
16	A. I believe I did, some of	16	understand that we got an email,
17	them and others may have been either	17	Michelle, from your colleague
18	outdated or they just couldn't be	18	saying that some additional
19	located. My facility is not the best, so	19	documents have been located, I
20	we have water damage problems sometimes,	20	think, perhaps with respect to tow
21	so there may have been issues with that.	21	files. So I do want to keep the
22	Q. Lieutenant Anderson, when	22	deposition open pending our review
23	the do you know whether or not before	23	of those documents. So that's the
24	the Philadelphia Parking Authority	24	last thing I wanted to say.
	Page 104	_	Page 105
1	MS. REINHART: Okay. Just	1	this, that when a private tow company
2	let us know what that review looks	2	relocates a vehicle that a local police
3	like.	3 4	officer is supposed to come out to, I
4 5	MR. HOESE: Okay. Will do. Thanks again, Lieutenant Anderson.	5	believe it was, write a ticket; was that correct?
6	THE WITNESS: No problem.	6	A. That's correct.
7		7	Q. Do you know whether private
8	EXAMINATION	8	tow companies always follow that process?
9		9	A. I don't know for sure, no.
10	BY MS. REINHART:	10	Q. Do you know whether do
11	Q. Lieutenant, I have just a	11	you know any examples of instances that
12	few questions for you. First of all, is	12	entities may call a private tow company
13	there any way for you to know whether a	13	without calling the police the local
14	private tow company provides the City	14	police district first?
15	with all the information needed in order	15	A. There are times where we
16	to collect information about any	16	will use construction companies as an
17	relocations that they do?	17	example, that I am pretty sure that they
18	A. The only access I would have	18	have relocated cars without necessarily
19	to that information would be if it was	19	following all the directives as we are
20 21	put into the tow folder. But other than	20 21	supposed to follow. So, you know, they
22	that, I don't know if they comply on a daily basis.	22	are trying to get their job done, and they need a vehicle moved. They are
23	Q. I believe earlier you	23	going to not be as particular about
24	testified, and correct me if I'm wrong on	24	following all the rules as they should
	,		,



	Page 106		Page 107
1		1	
2	be. Q. And I believe you said "I	1 2	about relocations, Lieutenant Anderson? MS. REINHART: Objection.
3	believe" or something along that line.	3	Just so I know, when are we
4	It sounds like you don't know of specific	4	talking about?
5	instances; it's more of a broad	5	BY MR. HOESE:
6	understanding that this occurs?	6	Q. Well, Lieutenant Anderson,
7	A. Yeah, yeah. This would be	7	have you read statements by yourself in
8	stories I have heard while discussing	8	articles in The Philadelphia Inquirer
9	things with different people in the	9	about relocation within the last two
10	construction industry. I don't have any	10	years?
11	knowledge of a specific date or time that	11	A. I haven't read the articles,
12	it happened, no.	12	no.
13	MS. REINHART: I have no	13	Q. Okay. Have you talked to
14	further questions. Thank you for	14	Philadelphia Inquirer reporters about
15	your time.	15	relocation?
16	MR. HOESE: Okay. I just	16	A. I was involved in a meeting
17	have a couple follow-ups based on	17	with the public informations officer and
18	your examination by Ms. Reinhart.	18	reporters. I am not sure what exact
19		19	publication they were with, but
20	EXAMINATION	20	Q. Okay.
21		21	MR. HOESE: Let's bring up
22	BY MR. HOESE:	22	another document.
23	Q. Do you recall being	23	BY MR. HOESE:
24	interviewed by someone at the Inquirer	24	Q. Okay. Can you see this,
	Page 108		Page 109
1		1	
1 2	Lieutenant Anderson? It's a printout of	1 2	Passing the buck. And then: Lieutenant
2	Lieutenant Anderson? It's a printout of an Inquirer article.	2	Passing the buck. And then: Lieutenant Michael Anderson, head of the police
	Lieutenant Anderson? It's a printout of an Inquirer article. A. Yes, I can.		Passing the buck. And then: Lieutenant Michael Anderson, head of the police department's tow squad, said construction
2	Lieutenant Anderson? It's a printout of an Inquirer article. A. Yes, I can. Q. All right. It has	2	Passing the buck. And then: Lieutenant Michael Anderson, head of the police department's tow squad, said construction companies that hire tow companies to
2 3 4	Lieutenant Anderson? It's a printout of an Inquirer article. A. Yes, I can. Q. All right. It has Borderline Illegal: Courtesy Tows Remain	2 3 4	Passing the buck. And then: Lieutenant Michael Anderson, head of the police department's tow squad, said construction companies that hire tow companies to relocate cars could be partially to
2 3 4 5	Lieutenant Anderson? It's a printout of an Inquirer article. A. Yes, I can. Q. All right. It has	2 3 4 5	Passing the buck. And then: Lieutenant Michael Anderson, head of the police department's tow squad, said construction companies that hire tow companies to
2 3 4 5 6	Lieutenant Anderson? It's a printout of an Inquirer article. A. Yes, I can. Q. All right. It has Borderline Illegal: Courtesy Tows Remain Philly's Persistent Parking Nightmare by	2 3 4 5 6	Passing the buck. And then: Lieutenant Michael Anderson, head of the police department's tow squad, said construction companies that hire tow companies to relocate cars could be partially to blame. He said a company supervisor is
2 3 4 5 6 7 8 9	Lieutenant Anderson? It's a printout of an Inquirer article. A. Yes, I can. Q. All right. It has Borderline Illegal: Courtesy Tows Remain Philly's Persistent Parking Nightmare by William Bender? A. Yes, I see it. Q. Do you remember speaking to	2 3 4 5 6 7 8 9	Passing the buck. And then: Lieutenant Michael Anderson, head of the police department's tow squad, said construction companies that hire tow companies to relocate cars could be partially to blame. He said a company supervisor is supposed to keep a list of cars that had been moved, but sometimes the construction is completed by the time
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Exhibit G



PHILADELPHIA POLICE DEPARTMENT

DIRECTIVE 3.7

Issued Date: 05-27-09 Effective Date: 05-27-09 Updated Date: 12-08-11

SUBJECT: TEMPORARY NO STOPPING SIGNS

1. POLICY

- A. A Parking Violation Reports (PVRs) will not be issued to vehicles parked prior to the posting of "Temporary No Stopping" signs.
- B. Before issuing a summons for violations of "Temporary No Stopping" regulations, police personnel will:
 - 1. Make every effort to locate owner.
 - 2. Contact the District Operations Room Supervisor (ORS) and obtain a listing of all license plate numbers of the vehicles parked at the location prior to the posting of the signs.
 - a. If no owner can be located for these vehicles, they will be relocated by Tow Squad.
 - b. Tow Squad will notify police radio with the license plate number and location of the relocated vehicle. Police Radio will enter the vehicle into the TOWE file.
 - 3. Tow Away Zones are enforced twenty-four (24) hours a day unless otherwise specified. Vehicles parked in Tow Away Zones will be issued a PVR and are subject to towing.

2. PROCEDURE

- A. When the ORS is informed another department will post signs, or upon request to post signs, a Complaint or Incident Report (75-48) (No DC#'s required) will be prepared as follows:
 - 1. "Complainant" block, insert the name of person, the department name and phone number of the unit requesting signs be posted.
 - 2. "Description of Incident" block, insert the "Date and Time Enforcement Begins," "Date and Time Enforcement Terminates" and "Date and Time Signs Removed."
- B. PSA personnel will:
 - 1. Post signs, when necessary.

DIRECTIVE 3.7 - 1

Exhibit H

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN EASTMAN, MARY
HENIN, AMANDA HAY, and
MATTHEW ALLEN,
individually, and on
behalf of all others

similarly situated, : NO: 21-02248

:

Plaintiffs, :

THE CITY OF PHILADELPHIA, :

v.

Defendant. :

Friday, October 7th, 2022

_ _ _

Whereupon, the teleconference deposition of STEPHEN LORENZ, took place pursuant to notice, commencing at 1:00 p.m., on the above date, before Krista Morici, a Professional Court Reporter and Notary Public.

_ _ _

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Page 10 Page 11 1 1 closure permit for construction." If the permit is issued to the applicant A. 2 2 and the applicant schedules the work. Yes, sir. 3 And it has: "The Department of Streets 3 Q. O. After the licenses is issued, does the 4 issues permits for street closures related to:" And 4 Street's Department have any more involvement with 5 it has a number of things under that, correct? 5 the applicant? 6 6 A. Only if the applicant reaches back out to 7 7 Q. us needing an extension of their permit because they And it says: Who -- if you scroll down a 8 8 little bit farther: "Applicants must hold a did not complete the work for whatever reason. 9 9 Contractor License or Commercial Activity License." Outside of that, no, we do not have any other 10 Do you see that? 10 interaction. Yes. 11 11 A. Q. Does the Street's Department -- well, 12 12 Q. So if I'm a contractor or someone who owns strike that. 13 13 a commercial activity licenses, do I use this In order -- Mr. Lorenz, are applicants website to apply for a permit to close the street? 14 supposed to notify the public that the street is 14 15 Yes, sir. 15 going to be closed for a certain amount of time? A. 16 Q. And after I submit the application, what 16 It depends upon on the work that's being 17 happens? 17 done. 18 18 The application is reviewed and a permit Q. Okay. And what cases would the 19 19 is issued to -- for the work to occur. applicant -- would you expect the applicant would 20 20 All right. And there's a few attached to notify the public that a street is going to be 21 this that we see at the bottom, correct? 21 closed? 22 22 Yes, sir. If it's a -- let's see, a large scale A. After the permit is issued, can you tell 23 23 public works project, or a capital improvement Q. 24 24 me what happens then? project, where the street will be closed for Page 12 Page 13 But before the street is closed, are you 1 multiple days or weeks, if the work entails a Q. 2 closure even for a day, they may or may not reach 2 aware of any requirements that the -- that the 3 out to the general folks on the block. Outside of 3 permit holder notified people who are parked on the 4 4 that depending on the street that they are working street that there's going to be a temporary no 5 on, they may need police assistance to close off the 5 stopping area? 6 6 The normal process is, they would post a street, and then that work gets generated through A. 7 sign where they need to perform the work. 7 the block. 8 8 All right. Whose responsibility would it Q. Does the Street's Department put up temporary no-stopping signs? 9 9 be to post the sign? 10 10 A. Yes, we do. A. The applicants. 11 Do applicants come into your office to 11 Okay. Does the Street's Department 12 12 monitor the applicants to see whether or not they obtain those, to put up --13 A. They can. 13 are putting up any signs to notify people? 14 But they are not required to; is that 14 No, we do not. Q. A. 15 15 O. Does the applicant have to provide any correct? They do not have to come into the 16 kind of documentation that it did so? 16 No, they do not. 17 Municipal Service Building, they can also go to the 17 A. 18 local police district. 18 Do you know what happens if there's a 19 Okay. Now, I assume that it's -- that the 19 street closure and there are vehicles parked on the 20 contractors request permits to close streets where 20 street at the time the work is to commence? there's free parking? 21 21 That the cars need to be relocated or 22 22 The type of parking does not make a removed from the street. 23 difference, if the work needs to occur, it doesn't 23 Does the Street's Department have any Q. 24 matter if it's free, metered, authorized, et cetera. 24 involvement in actually removing cars in that



	Page 14		Page 15
1		1	
1	situation?	1	towed?
2 3	A. If it's work that the Street's Department	2 3	A. No, sir. Q. Are you aware of any requirement that the
4	is performing. Q. Okay. But right now, if it's a	4	Q. Are you aware of any requirement that the contractor or its subcontractor notify anybody about
5	Q. Okay. But right now, if it's a contractor, does the Street's Department have any	5	the information about the vehicles that were towed?
6	involvement in removing cars from the no stopping	6	A. Yes, sir.
7	area?	7	Q. Okay. What do you know about that?
8	A. No, we do not.	8	A. The process is when a vehicle is towed
9	Q. Do you know who takes responsibility for	9	the what we'll call it the tow list, which is
10	removing the cars?	10	basically, you know, a piece of paper that says,
11	A. It would be the subcontractor of the	11	okay, blue Honda, license plate number, whatever,
12	applicant.	12	you know, was towed from this address and relocated
13	Q. And the subcontractor excuse me.	13	to, you know, another address and that document is
14	Would the subcontractor be a towing	14	provided to the local police district.
15	company?	15	Q. Okay. So it's usually a contractor or a
16	A. Usually.	16	subcontractor; is that right?
17	Q. All right. Does if a towing company	17	A. It's usually the towing company that does
18	subcontracted by a contractor tows cars from a	18	that.
19	street that's temporarily closed, does the	19	Q. Okay. Do you know if there's a certain
20	contractor have to report to the Streets any	20	amount of time within which they have to the
21	information about the vehicles that were towed?	21	towing company has to provide that information to
22	A. No, sir.	22	the police district?
23	Q. Does the tow operator have to report to	23	A. It's either when they are done or by the
24	Streets any information about the vehicles that were	24	end of the shift.
	Page 16		Page 17
_	Page 16		Page 17
1	Q. Okay. How long are the shifts usually?	1	information on the back side.
0			
2	A. Depending on the job, six to eight hours.	2	Q. Okay. So who is responsible for filling
3	A. Depending on the job, six to eight hours.Q. Okay. And there's are again, I know	2 3	Q. Okay. So who is responsible for filling out the from and to on the top?
3 4	 A. Depending on the job, six to eight hours. Q. Okay. And there's are again, I know you already said it, but I want to make sure. These 	2 3 4	Q. Okay. So who is responsible for filling out the from and to on the top?A. The contractor.
3 4 5	A. Depending on the job, six to eight hours. Q. Okay. And there's are again, I know you already said it, but I want to make sure. These are towing companies that are contracted with by	2 3 4 5	Q. Okay. So who is responsible for filling out the from and to on the top?A. The contractor.Q. And do you see at the bottom, it says,
3 4 5 6	A. Depending on the job, six to eight hours. Q. Okay. And there's are again, I know you already said it, but I want to make sure. These are towing companies that are contracted with by the contractors who got the street closure permit;	2 3 4 5 6	Q. Okay. So who is responsible for filling out the from and to on the top?A. The contractor.Q. And do you see at the bottom, it says, authorized by?
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